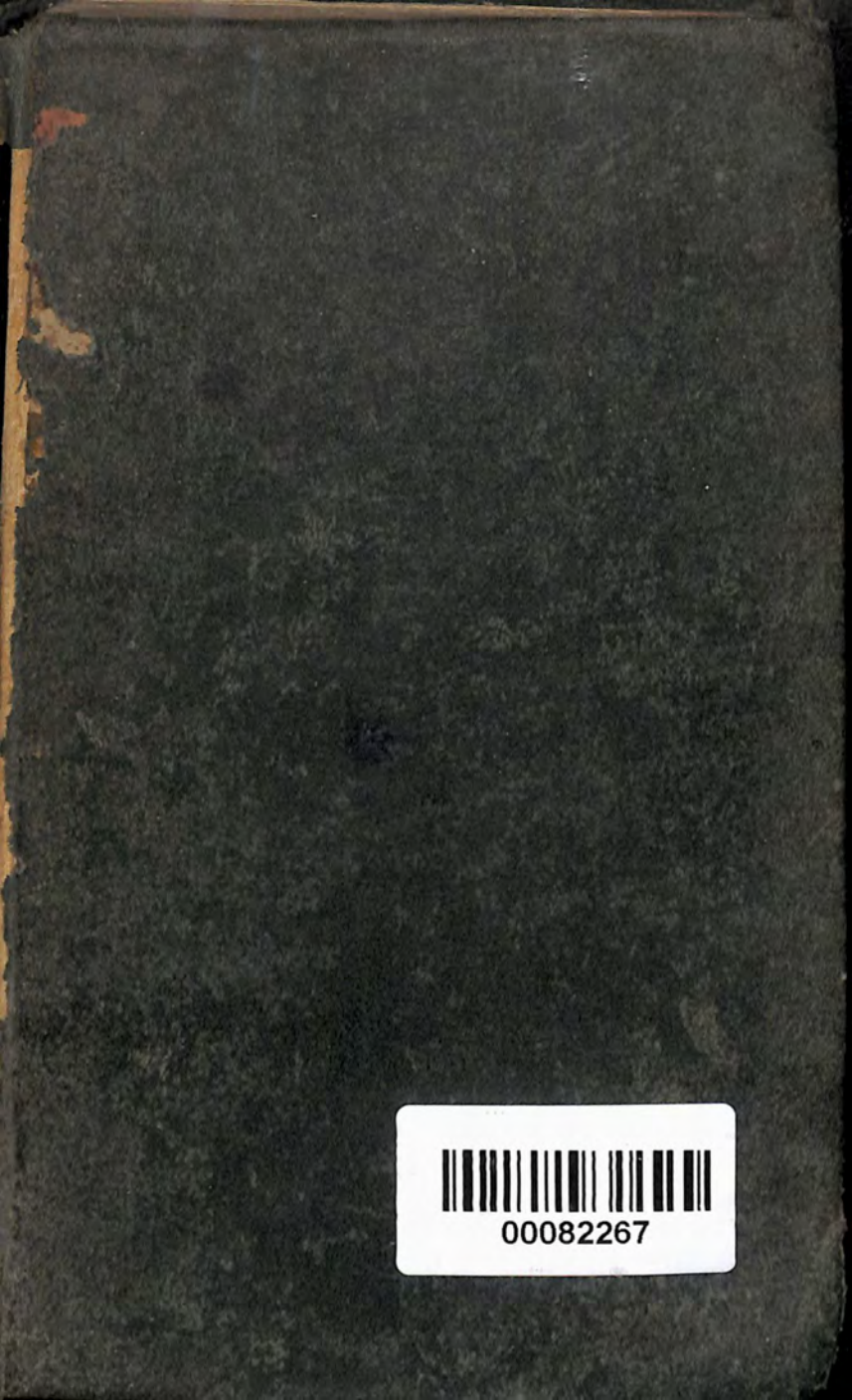
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THE

ROMANCE OF THE PEERAGE.

THE

ROMANCE OF THE PEERAGE

OR

Curiosities of Family History.

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BY

GEORGE LILLIE CRAIK.

VOL. III.

T-A. 32

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ADVERTISEMENT.

THE Portrait of SIR ROBERT DUDLEY, prefixed to the present volume, is enlarged from the upper portion of the full-length figure in Mr. Harding's "Historical Portraits," which is the only engraving of the original miniature by Hilliard; and I have much pleasure in acknowledging the liberality with which the necessary permission to copy the plate was at once granted by Mr. Holloway, of Bedford Street, the proprietor of that work. The picture by Hilliard is at Penshurst; and I am not aware that any other representation of Dudley exists, with the exception of a small equestrian portrait, engraved by Pierre Daret, the only known impression of which is in the possession of the Reverend William Staunton, of Longbridge House, Warwickshire. It is described in Mr. Merridew's valuable "Catalogue of

Engraved Portraits of Nobility, Gentry, &c., connected with the County of Warwick," 4to. Coventry: 1848.

I may also take this opportunity of stating that the portrait of MARY TUDOR, the FRENCH QUEEN, in volume second, is designed after the engraving by Jacques de Bie in Mezeray's "Histoire de France," II. 893 (edit. of 1685), compared with a plate in Sir Egerton Brydges's "Peers of James the First." The close agreement of these two independent delineations affords a strong presumption that, making allowance for an inferior style of drawing, they have preserved a tolerably faithful reflection of Mary's very lovely face.

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CORRECTIONS AND ADDITIONS.

VOLUME I.

Page 71, line 3 from foot :—If the correctness of certain dates and figures given in genealogical works may be depended on, the difference of age between Lady Sheffield and her younger sister would appear to have been, not three or four years, as here supposed, but nine or ten. See the present Volume, p. 87.

VOLUME II.

Page 40, line 18, *for* "younger" *read* "elder."

Page 44, lines 16, 17, *for* "the chief contriver of" *read* "one of the leaders in."

Page 70, line 2, *for* "ruggedest" *read* "raggedest."

Page 81, add to Foot-note :—"It is also in the Fourth Volume of the Second Edition of the *Antiquarian Repertory*, 1807."

Page 119, lines 5, &c. of Foot-note, *for* "and brother to Ruthven," &c., *read* "and so likewise, in a sense, might Ruthven be said to be, as being the husband of Darnley's grandmother's husband's wife."

Page 138, line 10, *for* "even" *read* "ever."

Page 151, line 10, *for* "Angers," *read* "Angus."

Page 254, line 4, *after* "unmarried" *insert* "in 1534."

Page 255, line 7, *for* "some years" *read* "very soon."

Page 256, line 3, *after* "Lindsey" *insert* "the Earls of Abingdon."

Page 275, line 11, and Page 277, line 9 :—There must, apparently, be some error in the common account of Lady Jane Seymour. That she died young in March 1561 is certain. (See *Machin's Diary*, 253). But was she really one of the three sister authoresses of the Century of Latin Elegiacs on the death of Margaret of Valois, Queen of Navarre, published in 1550?—"Annae, Margaritae, Janae, Sororum Virginum, Heroidum Anglarum, in Mortem Divae Margaritae Valesiae, Navarrorum Reginae, Hecatodistichon; accessit Petri Mirarii ad easdem Virginas Epistola," &c. There is nothing in this publication from

which it could be gathered or inferred that one of the poetesses was only a child of eight years of age at the time when the verses were written; and yet Lady Jane could then have been no older if she was only nineteen at the time of her death, as asserted in the inscription on her monument. There is an article upon the three learned sisters in *Bayle*, who tells us that he had inquired about them of various Englishmen conversant in literary history, but had met with no one who had ever heard of their existence. It would seem to be very questionable if they really were, as is commonly assumed, daughters of the Protector Somerset.

Page 303, line 22, *for* "second" *read* "last."

Page 304, line 3, *for* "Jane" *read* "Catharine."

Page 305, lines 2, 3 :—It appears from various communications in the *Gentleman's Magazine* for 1825 (*Vol.* XCV. *Part* II. *pp.* 286, 422, 483—485, 589), that there still exist descendants of the Lady Anne Stanley by her first husband Grey Brydges fifth Lord Chandos, through her daughter Margaret, who married William Brownlow, Esquire, and was by him the mother of Sir Richard Brownlow, Baronet, whose son, Sir John Brownlow, Baronet, had three daughters;—Jane, married to Peregrine second Duke of Ancaster; Elizabeth, married to John sixth Earl of Exeter; and Alicia, married to Francis second Baron Guilford. From the Duchess of Ancaster are descended (among other persons) Lord Willoughby D'Eresby and the Marquis of Cholmondeley; from the Countess of Exeter, the Marquis of Exeter; and from Lady Guilford, the Earl of Guilford and the Baroness North.

Page 332, line 6 from foot :—According to Mr. Riddell, *Inquiry into Scottish Peerages*, I. 469, the ultimate divorce between Queen Margaret and the Earl of Angus was not pronounced at Rome till the 10th of March 1527.

Page 368, line 7, *dele* "eldest surviving."

Page 378, line 10 from foot, *for* "Lee" *read* "Leigh."

Page 389, lines 18 and 22 :—Letley is the same place with Netley; and a *sise* means a wax taper.

Page 392, line 16 :—It may be doubted if the Earl of Hertford was quite so old at the time of his death as he is made to be by the statement of Sir Simonds D'Ewes, quoted at *p.* 275; for from the terms of the original patent conferring the Earldom upon his father (See the present Volume, *p.* 291), it may be inferred that his birth did not take place till some time after that of King Edward the Sixth. D'Ewes only says he was informed that he and Edward were born on the same day. He saw the Earl in the procession which attended James the First when he went to open the Parliament that met on Tuesday the 30th of January 1621 (ere many weeks were gone by to make itself memorable for ever

by the overthrow of one who rode among the proudest on that day, the Lord High Chancellor Bacon). "I," says D'Ewes, "amongst the nobility, especially viewed the Lord Seymour, Earl of Hertford, now some eighty-three years old, and even decrepit with age." (*Autobiography*, I. 170). This was within three months of Hertford's death. I am indebted to the kind communication of the Duke of Sutherland for the following Letter from the Earl, dated not quite two years before this, to Sir Robert Gordon, the historian of his illustrious family, who was a son of the twelfth Earl of Sutherland: it is curious, as illustrating the formal and precise habits of business of the old man, and I have, therefore, in transcribing it from the original, which is written throughout in a clear, strong, firm hand, preserved the peculiarities of spelling and punctuation, as far as they could be exhibited by the ordinary types:— "S^r I haue at severall tymes rec. 2 lres from yow, the one of y^e 21 of Nouember 1618 & y^e other bearing no date by w^ch it seemeth yow haue sent other w^ch are not as yet come to my hands. These w^ch I haue rec. are so full of courtesy & kind offers of yo^r loue & affection that I can not retourne to many thanks for y^e same w^th assurance of my loue again to yow & yo^rs upon all occations. The nowes of myne & my wyfes healthes yow so much desire to heare I thank God stand well. As for other occurrents some are comfortable & good & other not altogether so pleazing by reason of y^e losse of o^r late noble Queene Anne w^ch hath spread itself into a generall grief among us all. The king no longer then sithense the last Tearme tooke upon him his owne proper place of a most prudent Judge in the Starrchamber to heare a cause between S^r Thomas Lake and my cousin the Countesse of Exeter whear by the great wisdome of his Ma^ty not vnlike (wi^thout flattery I speake it) to y^e sentence of Salamon in iudging between the 2 weemen in stryfe for y^e childe the truth appeared of a fowle impious sclaunder laid upon y^e sayd Lady of Excet' by S^r Thomas Lake, his wyfe and daughter Rosse all three now punished by a large fyne & p'petual emprisonment in y^e Tower w^thout his Matys especiall grace in remitting. We are by the kinges warrant rigging up o^r shippes & mustering o^r men in all partes of England upon the comon brute of a mighty Armado preparing in Spayne for some inuation, & although no great groundes can be gathered for the building of an opinion of theyr coming hither yet so litle is that Nation beloued or trusted that eu'y man is redy to arme him self for y^e better assurance of his Ma^tys realmes. The match of Prince Charles w^th y^e Dawghter of Spain is litle spaken of & I think aswell by yow in Scotland as by us in England as little desired. For my owne p't I hope to see him blessedly maried into some Protestant howse of Germany to y^e glory of God, ioy of his Royall father & coumfort of us all. These passages

w^ch soudenly came to my memory, I have made yow a partaker of, yet I dout not but y^r my worthy friend yo^r good fatherinlaw doth in a much larger manner empart the state of o^r English affaires unto yow having euer found him well furnisshed of intelligence both forrayn and domestick. Yow shall hearw^th fynd 4 Bookes the vertuous frutes of his M^tys owne study for yo^r self, yo^r Lady, & frendes to p'use. Thus w^th myne owne & my wyfes herty com^lons & like wysshes to yo^r self & yo^r Lady I commit yow to Th' Allmighty. From Letley, this last of March 1619, preparing my self & my wyfe shortly (God willing) to attend y^e funerall of her Ma^ty w^ch is appointed to be the 29^th of this next moneth of Aprill 1619

Yo^r very louing frend
HERTFORD.

The Letter, which fills a folio page and a half, is finished off with seven elaborate flourishes of penmanship (one of them attached to the very careful and distinct signature), which spread over the remaining half page, but cannot be imitated here. It is addressed on the back, "To my wery Louing frend S^r Robert Gourdon knight these be del." Sir Robert Gordon's father in law, who is mentioned in the letter, was Dean of Salisbury.

VOLUME III.

Page 82, line 5 of *Note; for* "Gray" *read* "Grey."

Page 88, lines 13, etc.; *dele* sentence beginning "Whether any of these."

Pages 112—118; It appears from the Minutes of Evidence taken by the Lords' Committee on the *De Lisle* Claim of Peerage, 13th April, 1826, that none of the Depositions or proceedings in the Information said to have been filed by the Attorney-General in the Star Chamber against Sir Robert Dudley and others are now to be found either in the State Paper Office or in the Charter House.

Page 141. According to the evidence of the late Sir George Naylor, Garter, and of William Illingworth, Esq., in the *De Lisle* Case, no enrolment exists of the patent creating Dudley's wife a Duchess, either at the Rolls, the Chapter House, or the College of Arms. There is only a recognition of it, attested by Dugdale (then Norroy), in what is called the *Earl Marshall's Book*, preserved in the College of Arms. According to that it is dated at Oxford, 23rd May 20 Char. I. (that is, 1644).

ROMANCE OF THE PEERAGE.

THE HEREDITARY PRINCIPLE:—ARISTOCRACY AND DEMOCRACY.

In following, as we have been doing, the diversified fortunes of the two sisters of Henry the Eighth and their descendants, which make so curious a part, not only of our family history, but of our public history, for nearly a century, one acquires a lively conception of how potent an element is called into activity when the succession to honours and offices in a commonwealth is made a matter of genealogy. The arrangement is one that invites an examination of its principle; and the subject may detain us for a few pages not inappropriately, but rather to the furtherance of our general purpose, which turns away from nothing, whether of fact or of philosophy, that may promise to illustrate the nature and working of our aristocratic system.

Here are more than a dozen marriages entered into with men of all degrees and conditions, from kings down to horsekeepers, by about half a score of women,

each possessing the power of transmitting to her issue a contingent title to the crown. The marriages of Margaret Tudor to James the Fourth of Scotland and to the Earl of Angus, of her sister Mary to Brandon, of Mary's daughters Frances and Eleanor to the Marquis of Dorset and the Earl of Cumberland, of her granddaughter Lady Catharine Grey to the Earl of Hertford, and of Margaret's daughter Lady Margaret Douglas to the Earl of Lennox, all actually produced such titles or pretensions; and those of Margaret Tudor to Lord Methven, of Frances Brandon to Adrian Stokes, of Lady Jane Grey to Lord Guilford Dudley, of Lady Catharine Grey to Lord Herbert, of Lady Mary Grey to Keyes the Porter, and of the Lady Arabella Stuart to William Seymour, might each have had the like effect. Every descendant, male or female, from every one of these marriages might have carried his or her portion of the royal blood into a new channel, and mingled it with any other blood in the land; so that there was no family, however humble, that might not in this way have some time or other been raised to the throne

In our age of lofty speculation, from Vestiges of the Creation downwards, it is natural that such a study as genealogy should not rank very high. For one thing, it is, or is conceived to be, a worn-out science, all the principles of which, if it have any, were as well understood thousands of years ago as they are now, or ever will be. It lures on the philosophic mind, therefore, with no promise of discovery and conquest. How can such a subject have any claim upon the attention of

intellectual individuals, male or female, adepts in ichthyology, entomology, and the nebular theory, each of whom believes himself, or herself, to be on the high-road to the detection of a part of the secret by which the universe was made?

It must be confessed that genealogy will afford no man or woman much help on that journey. In this respect it is as useless a study as that, for instance, of any of the dead languages. For the merely forward-looking mind it can have little or no interest. It belongs mainly to the past. Yet it may not be, for all that, without both its poetry and its philosophy, if one could get to look at it from the right point of view.

Nor, like history itself, of which, indeed, it is a portion, and an essential portion, is it, though directly conversant with matters of memory, without something of a bearing too upon the present and the future, both of which come out of the past, are in the main continuations of it, and must always have much in common with it. Here in England, at least, we are still as much under the actual dominion of genealogy as ever our forefathers were. Even the hereditary descent of honours and offices is no extinct or obsolete element of our political system. It is as much part and parcel of the English constitution at this hour as it was in the times of the Tudors or the Plantagenets. What is properly to be called Feudalism has nearly all passed away; but the Hereditary Principle is no part of Feudalism. It is of much older date. Feudalism did not originally recognise the hereditary transmission of either dignities or lands; it was not till a later stage

of its existence that it found itself compelled to enter into alliance with the Hereditary Principle, which it had at first endeavoured to tread down with its iron heel. And, as the Hereditary Principle existed before Feudalism, so it has survived its downfal. Nearly everything that ever was hereditary in England is equally so still. In this respect the nineteenth century does not differ materially from the eleventh. It is the same under Queen Victoria as it was under the Conqueror. Eight hundred years, which have revolutionised so much else, have changed scarcely anything here. It is not alone the succession to the Crown that is still governed and determined, as it always has been, by the rule of hereditary descent; our legislature, as well as our royalty, remains hereditary at the present day to as great an extent as it was at the commencement of our parliamentary constitution.

Is this a wise arrangement, founded in convenience and in the nature of things? or is it merely a remnant of ancient barbarism?

In the philosophy of mind, the simplest and clearest way of testing the entire amount of the service performed by any of the senses, or intellectual faculties, is to put the case of the species having been created without the particular sense or faculty in question. Let it be supposed, that, retaining all the other parts of our nature, intellectual, moral, and physical, we had been left unendowed with vision, or with speech, or with memory. What would have been the result? How much of the power or capacity that we now

possess would have been wanting? To what extent, and in what respects, would our condition altogether have differed from what it actually is?

The deprivation or curtailment certainly would not have been confined to the immediate function of the sense or faculty. Without Speech, for example, it may be doubted if we should have been capable of society at all, or should ever have risen much above the brutes. The great cement of society, that which more than anything else both draws and holds men together, would have been wanting. It would have been almost as if the principle of gravitation were to be withdrawn from the material world. And generations would have been as much separated and insulated as individuals; for it is language chiefly that links age to age, as well as man to man. There could have been little of either transmission or accumulation of knowledge; consequently hardly any progress. It is difficult, indeed, to conceive how without history, without poetry, without literature of any kind, the simplest form of civilisation could have subsisted. And who shall say, besides, how far the absence of this one faculty of language, the outlet, as it were, and exponent of all the rest, would have obstructed and paralysed the exercise, even for its own proper purpose, of every other faculty?

In the same way we may most readily estimate the action of any of the elements of our moral condition. Let it be supposed, for example, that the passion of Love, in its various modifications, formed no part of our humanity. What would be the effect of the operation of the principle of selfishness thus left wholly without

control or check? Would not society be in this way also dissolved or made impossible? Or imagine a change of another kind, the removal of some great pervading circumstance or law of our existence here below. Suppose Death to be taken away, or never to have been. In addition to the necessary physical and economical accompaniments of such a constitution of things, the moral differences which it would make would be immense. Only let it be considered what a peculiar character the mighty fact of death gives to the sentiment of Religion. In so far, indeed, as religion is a natural sentiment, and not the result of positive revelation or inculcation, it may be doubted if it could have sprung up or lived in the human heart at all, if there had been no such thing as death.

But men are made in great part what they are by the law of nature according to which they come into the world, as well as by that in obedience to which it is ordained that we must all go out of it. The one casts its influence back, the other forward, over the whole course of our earthly existence. Both combine to mould the spirit and constitution of human society. The extinction of death would hardly remove a more powerful influence than would the total abolition of that connexion of kindred which men derive from their birth. If, instead of being thus naturally connected one with another, we were entirely independent productions, manufactured like so many watches or hats, our social and political institutions would tend to assume quite another form and character.

It would, no doubt, be possible here to disregard and

attempt to counteract nature. We could do with the premonitions and incentives supplied by birth what we cannot do with the necessities imposed by death. A form of policy might be set up which should refuse to recognise the former; and it might even perhaps be found practicable to keep up such a system, if the cost were no consideration, for a considerable length of time. But, whether it be in politics or in mechanics, whether in training a human intellect or training a plant, the rule is to seek, if possible, to accomplish the object by guiding, not by thwarting, nature. That is the way to accomplish it both most cheaply and most completely. There is always a waste of power when any other method is taken. The natural forces, in the general case, exist to be taken advantage of and turned to account by wise management. It is only in a morbid or otherwise abnormal and exceptional state of things that they require to be thrust aside or suppressed.

If there be any element of our humanity that may be called characteristic and universal, surely the element of Family is such. It may be said to be almost what the principle of crystallisation is in the mineral world; and, as that cannot be neglected by the lapidary, so this cannot be safely overlooked by the legislator. As men are aggregated into communities by one set of influences or tendencies, so they are run together into families by another set. The Individual —the Family—the Nation; these are all equally real unities, or separate existences, each having its own peculiar character and relationships, in virtue of which it both demands from the legislator a distinct

recognition and offers him additional means for the construction of a commodious social and political edifice. Upon these three corner stones the pyramid of the constitution should rest. The problem is to arrange and combine the pressures of these three forces into a system of harmonious co-operation, every part of which shall lend support to every other. That, at least, is the true idea of a perfect social system; the best possible realisation of the philosophical idea must, of course, here as everywhere else, always be clogged with many inconsistencies and short-comings.

One thing that gives the element of Family a special claim to be preserved and cherished in our social and political arrangements is, that, in its moral developement and operation, it makes one of the chief distinctions between the human being and the brute. The physiological effects of blood and race are more uniformly discernible in some species of the lower animals than in ourselves, for they are often to a great extent obliterated in man under his susceptibility to higher influences; but the moral sentiment of family and kindred is an attribute of man alone. It is one of the fundamental constituents of his humanity. He dare not altogether tear it from his heart without sinking to the condition of a beast. Even in the lowest form of savage life it is to a certain extent upheld and respected. Among the rudest or the fiercest tribes that partake of our nature a consecration hedges round and separates the mother, the daughter, and the sister—the father, the son, and the brother; a consecration which exercises an absolute dominion over the mind as well as over the conduct.

How the holy horror may have sprung up is not the question; whether it may be an original feeling, or the bequest of a forgotten religion or wise superstition, or merely a natural result of circumstances, does not matter; there it is, among human beings in all situations, among the lower animals in none. There it is, strong, active, ineradicable—no more to be destroyed, no more to be thrown down from its ascendancy, than any of the most elementary and deeply-founded principles of our being. You may as soon extirpate the love of life itself. This much at least must be granted, that it is a feeling which does take root in man and will not in the brute.

If we look a little farther, we find this sentiment of family attachment to be bound up, or connected more or less intimately, with some of those things which society has the greatest interest in maintaining and diffusing. For the common mind in ordinary circumstances it may be doubted if it be not the indispensable nurse and support of that which principally makes and maintains nations, the sentiment of Patriotism. The very word indicates that our country is loved by us as having been the land of our ancestors; but, besides this, a man's relations are as it were the projecting points at which he comes into contact with the general community, and most distinctly feels himself to be a member of it. The philosopher may scorn these illusions; but they are not the less operative with the mass for being the offspring of imagination, and being disowned and denounced by an arrogant rationalism, in whose eyes love of country itself, whether as

Father Land or Native Land, is a folly and an absurdity. The common prejudice, if so it is to be called, of patriotic affection, that which biasses the generality of people in favour of their own country, and makes even those of them who have the least to gain or to lose so ready to rejoice in the success of every national cause, is not quite independent of the poor man's universal wish that when he dies his bones may be laid where they shall mingle with the dust of his kindred. You, an enlightened philosopher, may say it would be better if there were no such patriotism, no such unreasoning and often unjust partiality; but heaven, for the present at least, has said otherwise. And even you, the most self-satisfied of all enlightened philosophers, must admit that it would be an awkward thing for the people of any one country to have the natural instinct in question wholly reasoned out of them, so long as it continued to actuate all their neighbours. How it might answer for all patriotic ardour to be extinguished everywhere, and, when a controversy arose between two countries, for the inhabitants of either to be left to be blown, some in this, some in that direction, by all their other various interests and passions,—that great common passion, which, like the wind in the full sail, overmastering all waves and currents and other inferior agitations, would at least have given steadiness of movement, being alone laid at rest —may be left to be discussed when there appears to be any prospect of such a consummation.

The sentiment of Family is perhaps the most powerful preservative of private morality among all the natural forces by which society is sustained. Even as

mere pride of ancestry, it tends to hold a man up, and to keep him from the commission of the baser vices. You may object to the visionary and fantastic nature of such a support; but even a bag of wind, when it saves a man from sinking in the water and being drowned, is not to be despised. It is in its more common form, however, that the sentiment of Family is most efficacious as a moral restraint. It is more efficacious than even the dread of public opinion. In fact, it is only through his nearest relations, the members of his own or of his father's house, that many a man can be reached by public opinion. He is placed either too high or too low for it to affect him otherwise. But even he who has least reason to dread the contempt of the world at large, will shrink from the thought of inflicting pain and shame upon his brothers or his sisters, his parents or his children. In this way the sentiment of Family, even when it may be considered little if anything more than an exaggeration or expansion of the love of self, loses the attributes and effects of selfishness. But in all cases, whether it is an interest in dead ancestors or in living relations, it tends to humanise self-love. It diffuses the point into a circumference, however limited. Its origin, too, is always, in part at least, unselfish; even when it is vainest and narrowest, it partakes of something high; and in its more common forms it springs out of some of the simplest and purest affections of our nature.

It might, indeed, be possible, as has been observed, to set up a scheme of society or polity in which the

element of Family should have no place or recognition. The circumstance of one man's natural relationship by birth to another might be refused to be taken at all into account. Every man might be treated simply as an individual—as himself alone, brotherless, fatherless, and motherless. But, to do this, it would be necessary not only to disregard but to suppress and do violence to nature. The system of your laws and institutions would have to maintain a front of armed defiance against nature on all sides, to wage a continual war with nature at every point. In particular, the great natural law of Property would probably be found to be unconquerable, and would embarrass and in the end defeat your most ingenious arrangements. If you could put down Property, you might perhaps get rid of the element of Family; hardly otherwise. The one sustains and tends to perpetuate the other, even as the stream does its channel. As the natural hollow is scooped deeper by the current that flows through it, so the natural sentiment of Family is fixed and confirmed by the force of Property. Only leave property free, and it will in general follow the course of family descent and connexion as surely as the springs that issue from the hill sides find their way to the ravines and valleys, and will journey by no other road. Not in one instance out of a thousand will a man, in determining the destination of what he must leave behind him when he quits the world, pass over those of his own blood in favour of strangers, unless you compel him to do so. This tendency of property to cleave to lineage could not be neutralised even by the State constituting itself

the universal heir, or, in other words, by every man's property being confiscated at his death.

It would be necessary to go much farther than that. On every account, the due limitation of the rights of property is the most important question in social philosophy; and in particular the most careful consideration is demanded in settling what amount of control an individual shall be permitted to exercise over the destination of his property after the termination of his own life. You may give him an unlimited control, as under the system of perpetual and indefeasible entails, only just abrogated in Scotland; or you may withhold from him all control; or you may establish any compromise between these two arrangements. But even if you were to go the length of the second plan, and say that the richest man in the community shall have no more power of leaving anything to his children or other relations than the poorest, you would only thereby erect the empty form of a law. Your law would be universally evaded and laughed at. What a man could not bequeath by testamentary disposition, he would only have to give away with his hand, or by word of mouth, or by a conveyance in writing, while he was still alive. It could always easily be arranged by open and formal agreement, or, if that were forbidden, by a secret understanding which no law could reach, that he should nevertheless retain the use of what he had thus given away till his death;—which would come substantially to the same thing as if he were only to bequeath it by will.

The only way to prevent the combination of Family

and Property would be to put an end to property altogether;—which is tantamount to proposing to put an end to human society and to human nature. Here, then, is a force which cannot be contended with, which it is as vain to think of disregarding in any social scheme as it would be to think of disregarding the principle of gravitation in any mechanical apparatus. In truth, it no more than any other force exists in order to be disregarded or ignored; but, like all other forces, whether in the material or in the moral world, to be taken advantage of and made available as a power. What physical philosophy does with the various energies and activities of matter,—with gravitation, with fire, with the inflammable and explosive gases, with the wind, with the water, with the lightning—that same thing it is the business of social and political philosophy to do with the principles and forces of moral nature. They are none of them there merely to be battled with and put down. They cannot be put down. They are there to be trained and disciplined; to have what is evil or dangerous in them kept in check, and the good that is in every one of them drawn forth and rightly applied. The natural attachment of men to their own blood and lineage, or what we have for shortness sake been speaking of as the sentiment of Family, is certainly no exception.

In the earliest forms of society nearly everything was arranged upon the hereditary principle. The government was hereditary; the priesthood was hereditary; the commonest professions were hereditary; honours

and rewards, punishments and degradations, were all hereditary. There was scarcely any respect in which a man was regarded as standing alone, and was left to act without reference to his family position and on his own sole responsibility. He could not marry and continue his race except according to the narrowest limitations of tribe and pedigree. People were scarcely looked upon as individuals at all. This was the absolute tyranny of the sentiment or idea of Family. The gradual developement of the antagonistic element of Individualism makes an important part of the history of civilisation and human progress. But it does not follow, because the hereditary principle was at one time allowed too great and general an ascendancy, that it is entitled to no place in a wise political system, or that it would be either possible or desirable to get rid of it altogether.

Within a certain range it may be said to have a natural claim to be allowed some influence and operation. In society, indeed, natural rights no longer exist; every social arrangement is an affair of convention, either formal or implied, the fundamental principle of which is the surrender by every man of his natural rights. Natural rights, as such, are only for the woods. But, on the other hand, the more of the natural rights of individuals the social convention can preserve untouched, or, to speak more correctly, can give back under a new name or a new sanction, the better. This is only a repetition, with a different application, of what has been already observed, that, in every kind of arrangement, natural forces are always to be taken advantage of as far as may be, or interfered with as little as possible.

It is thus only that any moral arrangement, in particular, can ever be made to work smoothly or satisfactorily. The rights of nature are not extinguished when they are surrendered under a social compact in exchange for certain other artificial rights. They are eternal and cannot die. Their action is only suspended for a season. Like the ocean which is kept back by the dykes of Holland, there they roll behind all your artificial regulations with the same force that they had before your institutions and laws were set up. The salvation of your social system depends altogether upon its proving stronger than they. It is only a contest between the billow and the embankment. The moment the latter gives way, the former is as ready to overwhelm and devastate the land as ever. As far as it is possible, therefore, natural rights and natural feelings must be respected, and as it were taken into confederacy, by every scheme of society or polity that would have either a tranquil or an enduring existence. The fewer of them that are put down, the more of them that are built into the fabric of the scheme, and made available among its forces or supports, the better chance it has both of lasting long and of working beneficially.

Some natural sentiments, indeed, are so strongly felt, and so interwoven with the universal constitution of things in this world, that they hardly admit of being altogether neglected or set aside; the question is only to what extent or under what limitations their operation should be legalised. Among these, the sentiment of Family is one of the most invincible. It is so much so, that to say there should be hereditary succession

in nothing would be to outrage the common sense of mankind even more than the adoption of the principle of hereditary succession in everything. The latter system, or something very nearly approaching to it, has been tried and has been found to answer very well for many purposes; the former can scarcely be said to have ever been even thought of. No social scheme of which the world has had any experience has gone the length, for instance, of refusing to recognise in the distribution of a man's property after his death any distinction between his relations and strangers to his blood. His children, or, where he has left no children, his other nearest kindred, have been universally held to be entitled to succeed to the possession of whatever he had called his own and which he had not otherwise disposed of. In some countries the principle of hereditary succession has even been carried beyond this point, and farther than it would have gone in a state of nature, by a restriction being imposed upon a man's power to alienate the reversion of what he possesses away from his children or other relations. Whatever question there may be as to the policy of thus drawing closer the natural bond, there can hardly be any as to the expediency of leaving it as tight as nature has made it. 'A man still in some sort lives in his children after he is gone. Their existence is a continuation of his, not simply inasmuch as the one springs out of and is altogether owing to the other, but still more from the moral bonds that knit him and them together. He has always contemplated them as forming a part of himself, and looked forward to their future

being on the earth as a prolongation of his own. It is as much for them as for himself, or much more, that he has sought whatever of worldly wealth he has acquired. The care and toil, bodily or mental, to which he owes it have been mainly inspired and sustained by the thought that they were to enjoy it after him. When it has dropt from his grasp, what claim of natural right can any other parties have to it that can for a moment come into competition with theirs? In falling to them it can hardly in general be said to pass into new hands. They have for the most part shared it while the former owner lived; it was even then, in a sense, as much theirs as his. To deny the inheritance of the parent to the child, in short, would be precisely the same violation of natural justice as to wrest the acquisitions of his own industry or ingenuity from the parent himself.

Even this lowest limitation of the hereditary principle leaves it to permeate the substance of society, and to give to the national existence a continuous identity which it would not otherwise have. It connects successive generations by a distinctly felt personal interest. Without the encouragement derived from the prospect of providing for his children as well as for himself, no man having children would labour either very actively or very contentedly; he would labour as a slave labours, the sinews of body and mind relaxed and enfeebled under a sense of injustice and unreasonable tyranny. It may be doubted if under such a system work enough would be done to keep up any form of civilisation. If men did not, with one generation thus violently torn

asunder from another, fall back into the condition of savages, they certainly never would attain any high national development. The nation, if such it could be called, would never acquire an historic existence and unity, wanting altogether the element which gives any meaning to a national history. But in virtue simply of its being that element, the hereditary principle has a claim to be admitted, if it can be safely done, into the social and political economy of the State with a more extensive authority than that of regulating the descent of property. Circumstances must determine the degree; the measure that would be safe or beneficial in one country might not be so in another; but that country is the most fortunate whose present and whose past enable it to sustain without injury or inconvenience the largest infusion. For a people without a history, formed or forming, is what an individual is without a heart; the fountain of all nobleness and true greatness is wanting.

Nobody in our day would propose in any country that there should be either hereditary professors of mathematics, or hereditary prime ministers. Wherever self-originating and independent action is required, we must resort to something else than the hereditary principle. It is not to it that we can trust for a regular supply of capacity of the highest order. Where the only or the main object is to secure that, some other method must be tried. But the business of government, or of social regulation and management, may very advantageously be carried on to a large extent by

means of functionaries each of whom is required to do little more than to occupy a certain place. For the regular supply of such functionaries the hereditary principle offers the most simple and convenient resource. They are like the common soldiers in an army; no extraordinary qualifications are required in them; all that is necessary is, that they should be men of the ordinary average sort in understanding and other respects. What they have to do is only what may be done well enough by almost any body. Even if their duties might perhaps be performed in a manner a little superior by persons specially selected, still the gain would not be worth the cost. Selection is always a matter both of expense (in some shape or other) and of uncertainty; it only, after all, gives you a somewhat better chance of the fittest man than you would otherwise have. In many cases it is quite enough that there should exist somewhere, not a power of selection, but only a power of rejection. And even the exercise of the latter power will be very rarely necessary.

No mode of appointing to offices by selection or election, indeed, is or can be other than a very imperfect expedient, or unattended with heavy drawbacks. Even if you could always be sure of the honesty of the electors, you never can be sure of their sagacity. With the best intentions in the world, they may be deceived in various ways. No faculty short of omniscience in the electors could make elections always what they ought to be; and even that would only do if to the universal knowledge were joined absolute freedom from corruption, from passion, from interested views, and from every

other bias. In how far any body of electors, great or small, that the world has ever known, have approached this standard, needs not to be set forth. Election or selection, then, has not, after all, so much to boast of that it should claim to be preferred as of course to the hereditary principle, or to any other principle, at least in so far as its superiority is to be tested by the superior quality of the appointments for which we have been indebted to it. It may have answered other purposes; but its professed purpose, of finding generally the fittest man for the office to be filled or the work to be done, has not been answered at all. Probably we should not have been much worse off in that respect if such a thing as election never had been heard of. It has served, indeed, as a way of settling the matter in the case of a competition among several claimants or their partisans. It has done what a dice-box might have done more quietly. Now the hereditary principle has also this same recommendation of pronouncing a clear and incontrovertible decision; or, if its decisions are sometimes disputable, they are not more frequently so than those of the method of election. In some cases that method may have its peculiar advantages; in other cases, the rule of hereditary succession is certainly entitled to the preference.

In particular, for the highest office of all in the commonwealth, the elective method of appointment would seem to be very unsuitable. The principal respect in which its operation differs from that of the hereditary principle is that it does not confine the appointment to a particular lineage or individual, but

leaves it open to every family and every individual in the community. But that advantage, if we should admit it to be one, is only one point of the case. It is far from being clear that the office would generally be better filled under the one arrangement than under the other. Where it is one not demanding qualifications in which the superiority of one man to another admits of being distinctly made out, but one chiefly of authority and dignity, and having attached to it only such duties as depend for their right performance upon general right-mindedness rather than upon any special natural aptitude, the chances are that you will get usually as fit a man by the method of hereditary succession as by that of election. The truth is, that there is nearly as much of chance in the operation of the one method as in that of the other. In other respects, however, they differ as a lottery does from a hurricane. Nothing can be more beautifully simple, smooth, and sure than the manner in which the hereditary principle operates; the light does not make its way more silently or with less disturbance through the air, or hit its mark with more direct and certain aim; intrigue, passion, contest, resistance, are completely excluded. The other method, manage it how you may, whether it be election by a multitude or by a conclave, always lets loose some elements of more or less pernicious activity. In all cases the price that is paid for whatever benefit may be held to be secured by it is considerable. The mere expense of time and exertion is no small matter. That alone would make it impossible to apply the system of election in any country very extensively. If

all appointments were to be made by popular election, the people would have little else to do but to vote from the one end of the year to the other. Or the result probably would be, that that business, like every other, would get into the hands of a particular class of persons, who could manage so as to make it worth their while to attend to it, as we see happens, or used to happen, in our parish vestries. But when the office to be filled, from the power and splendour attached to it, is one greatly tempting to ambition, or upon the appointment to which important results are conceived to hang, the danger is more serious. A struggle in such a case may rouse into action, according to circumstances, the most furious or the darkest passions of the human heart. Let it be the supremacy of the commonwealth that is contended for, the possession of that place which is to give to one or other of the competitors and his partisans the chief direction of the national policy perhaps at a most critical moment in the affairs of the country or of the world, and there are scarcely any available means of violence or of stratagem that will not be unscrupulously resorted to on either side. Such a contest might even prove fatal to a State; it might issue in an armed civil war; or, without that, it might split the united territory in twain. At the least, it could not but subject the bonds that hold the political edifice together to a very perilous strain, and leave it for a time weaker than it was before.

And all for what? Certainly not, by the very nature and conditions of the case, that the best governor may be secured for the country; for in the

estimation of the defeated party, which may be within a trifle of comprising half the population, the one actually appointed will be about the worst that could have been selected. Nor, managed as the process must of necessity be, with so much more play given to the spirit of party than to that of calm deliberation and disinterested regard for the public weal, and with so much in the excitement and madness of the moment to blind even the most honestly disposed of the electors to those deeper and remoter views which would guide them to a right decision, is it possible that any effective means can be taken to secure the wisest appointment. Not the fittest candidate will at such a crisis have the best chance, but rather the most importunate, or the most audacious, or the most subservient, or, it may be, the one whom the merest accident has made the popular favourite of the hour. No: whatever advantages a political constitution based upon popular election may have (and some it undoubtedly has), the elevation generally to the highest place of the ablest man, it must be repeated, is not one of them. In so far as regards that particular, no possible kind of election seems upon the whole to have any advantage over hereditary succession, or the leaving the matter to chance.

What, then, is it that we really gain by making the appointment of the chief of the State an affair of election? Only this; that everybody has a chance of being raised to the supreme power. Is this such an advantage that it is worth purchasing at the price that must be paid for it? It is one, at least, of which every-

body's share is a very minute quantity. When the old kingdom of Poland was put down, every male inhabitant of Christendom lost the chance of being elected to a crown; but it would require a fraction with a very extended denominator indeed to express the amount of that loss to each individual. Hardly appreciably greater would be the gain of every inhabitant of the British empire, if for our hereditary monarchy an elective royalty were to be substituted. Even according to the pure theory of the case, it would be only to each the chance of about one against twenty-seven millions once in a lifetime. If, indeed, instead of a King or Queen appointed for life, we were to be satisfied with a President, male or female, to hold office only for a term of years, every person's chance would be somewhat increased; it might be raised from being once to be half a dozen times in a lifetime; but then the value of the prize would be proportionably diminished. Actually, however, there would be no such universal equality of chance as the theoretical statement supposes: the chance would be very nearly all monopolised by a few dozen individuals at most, and all that could be said to be left to the bulk of the population would be little more than a metaphysical possibility of gaining the prize. To the few dozen, no doubt, the arrangement would open a brilliant prospect; but how the gratification of their ambition would benefit the rest of the community is not obvious. The cost that it would entail, however, is clear enough. It would be, in fact, like having a plurality of royal families instead of only one, and all the waste, confusion, and danger of

a scramble among several competitors for the crown every time it fell to be transferred.

The thing that is of chief moment with regard to the place of highest dignity in a well ordered commonwealth is, that it be filled. By whom it is filled is comparatively unimportant. It is impossible that any considerable power of independent or self-originating action can be left to the individual occupying it. An extraordinary crisis will call forth a leader who shall seize and wield all the authority of the State as if by a divine right; but there are no means of securing an unbroken succession of such heaven-commissioned autocrats. In the normal condition of national affairs, a principal part of the function to be performed by the official head of the State is merely to occupy his position. The first necessity of that position is, that it cannot be left empty. So left, it would be a gash in the body politic. It will not remain empty. If there be no regular way of filling it provided, the thing will be done by some irregular process. The principle of hereditary succession, operating with the constancy of a law of nature, seems to offer at once a perfectly sufficient and by far the most convenient and least objectionable agency for meeting all the difficulties of the case.

One of the most beautiful among the simplifications of science is that by which in the Arabic system of arithmetical notation the figure is made to derive the greater part of its value from the place in which it stands. An analogous contrivance is equally available in a social or political system. Much of the force by which any such system is to be sustained and kept in

motion may be advantageously made to reside more in the place than in the person. Matters may be so arranged that it shall be not so much the individual as his position that rules and influences. This force of the position is an incident of social efficiency which discriminates it from many other kinds of efficiency. A man cannot be made a sounder mathematician by being appointed a professor of mathematics. If his mathematical knowledge or genius be but small, his professorship will not make it more. But the sort of power that is required in the members of a social or political system is often only a power of weight or pressure. It is derived from their position much more than from themselves. It makes itself felt not in directing or even in impelling the machine of government so much as in keeping its centre of gravity in the right place. It is neither the sail nor the rudder of the vessel, but rather the ballast or the keel. All that you have to do, therefore, to maintain in the machine a force of any desired amount, which shall continue to act in a direction that may be assigned, is to create certain positions or circumstances in which a certain number of individuals shall always stand. The fixed positions will correct any irregularity of action that might otherwise be produced by the more variable or less determinable quantity of the individual minds and characters.

The spirit of pure Democracy spurns all this. It will have nothing but the action of the individual. Its principle is that of the old Roman arithmetical notation, in which position goes for nothing, and the symbol has

always the same value wherever it stands. It is impossible, indeed, actually to disencumber men altogether of the influences of position and circumstance; but it is the aim of Democracy to effect this as far as it can be effected. No doubt that is the way to call up and bring into play the greatest amount of vital and progressive energy in a state. But there may be a superabundance of that element. There may be too much of it, as well as there may be too little; too much for the safety of the commonwealth and the permanence of its institutions. Coleridge has admirably defined the first condition required in order to a sound constitution of the body politic as consisting in "a due proportion of the free and permeative life and energy of the nation to the organised powers brought within containing channels." And then he subjoins:—"What the exact proportion, however, of the two kinds of force should be, it is impossible to predetermine. But the existence of a disproportion is sure to be detected, sooner or later, by the effects. Thus: the ancient Greek democracies, the *hot-beds* of Art, Science, Genius, and Civilisation, fell into dissolution from the excess of the former, the permeative powers deranging the functions, and by explosions shattering the organic structures, they should have enlivened. On the contrary, the Republic of Venice fell by the contrary extreme. All political power was confined to the determinate vessels, and, these becoming more and more rigid, even to an ossification of the arteries, the State, in which the people were nothing, lost all power of resistance *ad extra*."*

* *Constitution of the Church and State*, 95.

As it is the tendency of Aristocracy to organise and consolidate, and to do that to excess, so the opposite genius of Democracy is jealous of all organisation. In an aristocratically constructed system of government persons become institutions: with ourselves, for example, the King or Queen is an institution; every peer is an institution. It is the institution much more than the person that acts and tells. In America, again, or in France, the mechanism of government is reduced as far as possible to a system of purely personal action. How the institution, for instance, of the Presidency shall work depends almost exclusively upon who shall be the person elected President. The power of every functionary may be carefully limited in many other ways; it may be surrounded in all directions by checks and counter-weights; it may be formally minimised to the utmost; but the most effective of all limitations and restrictions, that imposed by the absorption, as it were, and to a certain extent the extinction, of the officer in the office, of the person in the institution, is what is most sought to be avoided in a Democracy.

With this disposition to regard the individual as everything in himself, the democratic spirit must be abhorrent of every form of the hereditary principle, the effect of which, wherever it is allowed to operate, is to make the individual only the link of a chain, by the other links of which he is at once supported and restrained. Democracy despises such support, and holds such restraint to be universally both unnecessary and injurious. Yet the question is not to be disposed of, as it is often assumed that it may be, by a few common-

places about natural rights and the worthlessness of artificial distinctions. For some purposes artificial distinctions may be made as potential as any created by nature. The possibility of establishing such effective artificial distinctions does not admit of being disputed. It is quite true, as the song sings, that, although the King can make a belted earl, he cannot make an honest man; but it is equally true that, although he cannot make an honest man, yet he can make a belted earl. And that too is something. The only question is, the expediency of society ever exercising the power of giving to the individual a new value and importance by assigning to him a particular position. It is a question to be discussed and decided, like all such social questions, upon a consideration and comparison of the whole advantages and disadvantages, the entire benefit on the one hand and cost on the other, of the proposed arrangement. It is clear enough that it can be adopted only to a limited extent; the principle of hereditary succession, by which it is most simply effected, cannot be made the universal moving and sustaining power of the political system; the opposite force of individual activity must always be left to perform a large part in the business of society. Indeed that force could never, even in theory, be altogether destroyed; if every member of the community were to have his fixed place, depending on the stock from which he was sprung, still men would be as variously distinguished as they now are by their personal qualities, and some would be stirring and influential, others indolent or incapable and of little or no account in the commonwealth. The dif-

ference would be only that neither the ambition of the former nor the want of it in the latter would be left quite so free to produce their natural effects; the strong pervading organisation would oppose bounds to the mischievous tendencies both of the excess and of the deficiency.

The principle of a purely democratic system of government is, that every species of check upon the popular will is uncalled for and injurious. This is the proposition for which the advocate of pure democracy must stand up. Anything short of this is not unmixed or absolute democracy, but only a system in which the democratic element has a certain influence. It is impossible to give another definition. If by a democracy you mean merely a government in which the popular wish or voice has some recognised influence, then every constitutional government is a democracy. In most constitutional governments the popular will may be said to have even a preponderating influence; this is decidedly the case in our own government; if not by the letter, certainly in the spirit and actual working of the constitution the House of Commons is now the greatest power in the State. Still it is not the only power; and therefore the government is not a democracy. Neither is even the constitution of the United States of North America a purely democratic constitution; there too the action of the popular will has checks imposed upon it, not so stringent, it may be, as those provided by our monarchical and aristocratical institutions, yet still sufficient to prevent any proceeding of the government

being the mere explosion of the popular passion of the moment. It does not matter what may have been historically the origin of the regulating and restraining contrivances; it makes no difference as to the actual character of the government whether they may have been in point of fact established by the people themselves or may have grown up in any other way; in either case, being submitted to, they must be considered, in the absence of any foreign force, as equally sanctioned by the popular acceptance. The consent of the people is not merely, what it is commonly called, the only legitimate, but the only possible source of all national power and authority. At any rate, a people may of its own accord set up the most aristocratic or monarchical of constitutions; the constitution will not on that account be a democracy. A pure democracy, in short, is an impossibility. With any institutions whatever you must have an infringement of the democratic principle. The term democracy, taken in its literal sense, is a contradiction. A government directed simply and exclusively by the popular will would be no government at all. Wherever any description of constitution exists, the popular will must be more or less fettered and restrained in its action. That is implied in the very meaning of a constitution. A constitution is a system of regulations in conformity and obedience to which the governing power in a country must act, whatever that governing power may be. You may, therefore, have such a thing as a pure monarchy or despotism, because there no constitution is required; but you cannot have a pure democracy, because any

kind of popular government without a constitution is impossible.

It follows, then, that the only question with regard to the democratic element really is, in what degree it should be admitted into the political system. It can only be admitted to a certain extent. Some other ingredient must be associated with it, were it only as its vehicle. The electric spark, to act at all as a useful or manageable light, must be combined with something else which will detain and preserve it. It may be that the true problem is to maximise the democratic element and to minimise the restraints upon it. But that it must be more or less placed under restraint is indisputable.

The popular will, composed partly, indeed, of knowledge and reason, but in part also of passion and ignorance, is the explosive force of the social world. It is what gunpowder or steam is in the material world. When these great moving powers shall be permitted to act without confinement or control, then the democratic element may be safely allowed the same liberty.

People, therefore, who talk of a coming universal reign of pure democracy only talk nonsense. Such an advent would be tantamount to that of universal anarchy. So long as there shall remain any regular government in the world, the principle of democracy must continue to be tempered and corrected by combination with some other principle.

But, this being admitted, it follows that no other principle of government is objectionable simply on the ground of its being antagonistic to the democratic.

Such antagonism must be obtained somehow, else the employment of the democratic principle itself becomes impossible. There is nothing, then, in the rule of hereditary succession which should exclude it as of course from the most democratic political or social system that can be constructed. It may possibly be found to subserve certain purposes, even in such a system, as well as any other arrangement, or better than any other. It is to be adopted or rejected on its merits as ascertained by examination or by experience. And so also is to be determined the degree in which it is to be admitted as the ally, or alloy, of the democratic element.

There are obvious causes, however, that will always tend to prevent the introduction of this or any other corrective in sufficient measure into constitutions of popular origin. It is manifest that in all such constitutions the danger must lie in that direction. The popular power cannot but be naturally averse to fetter or limit itself. In no such constitution, accordingly, that the world has yet seen has its action, perhaps, been guarded to the extent required for the highest purposes of government and for the safety of the State in all circumstances. Even in the constitution of the United States of America, at once the most successful and the most cautiously conducted of all experiments of the kind, it can by no means be held to be yet demonstrated that the first interest, or rather necessity, of society, that of conservation and stability, has been adequately provided for. Circumstanced as the Anglo-American confederation has hitherto been, it has never

had to encounter the great problem of government, the maintenance of order among a population confined within a limited territory; and to infer that the same strength of construction which has held its system of institutions together up to this time will always suffice would be like expecting that the fragile timbers of the bark which floats in safety on a fresh-water lake should be equally able to stand the strain and weather the storms of the Atlantic. Any kind or form of government will serve where there is little or none of the really difficult work of government to be achieved. But take the ordinary case, of a multitude of many millions of human beings, with all their passions and all their wants, shut up within a certain portion of the earth's surface, as effectually, for the most part, to all intents and purposes as if they were the inmates of a prison or of a ship at sea; here, if a government be defective in coercive power, nothing can come of it but confusion and destruction. It may do with any other defect; but without the requisite strength it cannot do at all. With other wants there may be less of progress, less of liberty, less perhaps of happiness or of virtue, for the nation than there might and ought to be: with this want the very existence of the nation becomes impossible. Yet, as has been said, it is a want which is almost sure to belong to any political constitution springing exclusively from the popular will. And this is part of the reason why a free constitution cannot be extemporised, or erected to order like a house or a machine. It cannot be set up, but must grow up. If it be *octroyé* or imposed by a superior power, it will be

too restrictive; if it be the contrivance of the people themselves, it will not be restrictive enough. The true equipoise seems to be only attainable through a long contest between the governors and the governed. And such contest is probably needed to generate the traditions, and to teach the habits of thought and of action, upon which the right working of the constitution depends.

The notion of many vivacious speculators, that good government is the simplest and easiest thing in the world, and that a people has only to be left to itself and it will be sure to be well governed, is one which at least receives no countenance from history. The records of mankind do not supply a single instance which bears out such a proposition. No government, good or bad, that has yet stood the test of time has been the free creation of the popular will. Every political system which there can be any pretence for so describing has given way whenever the hour of more than ordinary pressure came. Generally the State has, as its only refuge from annihilation, received a dictator, with or without a previous period of confusion. No doubt the substituted government has been a usurpation; if there had been no selfish ambition in one class of the citizens and no folly and weakness in another class, the despotism could not have been set up, and the free constitution never would have been overturned. But it is the existence of folly and ambition and other evil passions in the bosoms of men which is the very thing that makes government so difficult. Make all men, and all

women, perfectly reasonable, and government will be simple enough. It might, in fact, in that case be almost dispensed with altogether.

It is curious to observe how the same class of thinkers, or talkers, who are the most sanguine in regard to what government might be are also the most given to depreciate what it has been. Credulous of every thing from the future, they will allow nothing to the past. That has been only a universal scene of oppression and suffering. Everywhere injustice and evil have gotten the upper hand; all established institutions have been usurpations and tyrannies; such a thing as good government has nowhere been known. If they were to reason in the contrary way they would be more intelligible; there would be at least a consistency and some plausibility in their theory of things if they were on the exaltation of the past to found an extravagant expectation of the future. The same human nature that has produced the one is that out of which the other must be made; there is absolutely nothing else to trust to. If mankind have failed so signally hitherto in all their political experiments, there is surely not the more but rather the less reason for confidence in the success of their future efforts. It would seem to be a calmer, wiser, and more probable view of the matter which is taken by those who do not go so far either in their anticipations of the coming success or in their denouncement of the extent of failure up to the present time, but who alike in looking back and in looking forward take into account the difficulties which are inherent in the case and common to both presentments

of it, as well as any advantages which the one may have over the other.

This is no place in which to open a discussion of the prospects of humanity in regard to political and social improvement. But one remark may be made. The government of a nation, let it be managed upon what principle it may, is becoming every day a more onerous and formidable task. There may be more wisdom and skill for its accomplishment than heretofore, but the task itself is increasing in difficulty from the changes which are taking place everywhere in the condition and circumstances of the people. It is not only that new notions and feelings are taking possession of them, which make the old methods of repression no longer practicable; that is perhaps only one of the natural results or accompaniments of a more fundamental change, that, namely, which their economical position is undergoing. Everywhere their numbers are on the increase. A proportionably, or more than proportionably, larger quantity of honey may be made; but the hive is every day getting more crowded. In all advancing countries, too, the tendency of population is to become confluent, or to congregate into larger masses than formerly. The age has been appropriately described as that of great cities. Hence more of competition and jostling—more danger of confusion—and, consequently, a necessity for more regulation.

The maintenance of social order in the most favourable circumstances is, when one thinks of it, something to fill the mind with wonder. In any civilised country

it would be at any moment the present interest of the great majority of the inhabitants to rise and put an end to the whole established system of things. If the existing wealth of the country were to be formed into a common fund, or redistributed upon the principle of all sharing equally, the effect would be that every nine men in ten would be richer than they were before. What is it that prevents this being done? Principally the fact that men are not wild beasts. No force at the command of the tenth of the population could otherwise keep down the other nine-tenths. The nine-tenths mainly are not kept down, but keep down themselves. Perhaps one-tenth may require to be kept down; this is the portion of the population for the sake of which almost exclusively all the repressive establishments of the country are maintained. If it were otherwise, if all the nine-tenths required to be kept down by force, government would be impossible. In every country, then, we have the great mass of the inhabitants, to the number perhaps of many millions of men, submitting to, acquiescing in, and, we may say, upholding arrangements which preserve all the property or accumulated wealth of the country in the possession and enjoyment of a comparatively small number of their brethren. Wild beasts shut up in a cage would not so act; the one having something to eat would not be left unassailed for a moment by the rest who had nothing. Their nature would require to be beaten out of them before they would be quiet in such circumstances. Only man, with his faculty of "looking before and after," and soaring above and away from the present on the wings of the past and the future, attains

this command over himself in accordance with and fulfilment of his nature. Yet what does even he gain by the practice of it? He makes civilisation possible, and that, generally speaking, is all. Not one individual in a thousand, or in ten thousand, ever secures or can rationally expect any more distinct compensation in this world for a forbearance by which he and his fellows give up so much. Not that, the case standing even thus, their forbearance is unwise. But still it is something not easy to be fully accounted for. It does not spring out of any calculation of consequences, out of any balance which every man strikes in his own mind between the gain and the loss of acting as he does. Such a calculation, it is to be feared, would, in most cases, tend only to mislead. No; it seems rather to be a restraining religion, something unreasoning and divine, which sways the general mind,—as the tall grass is bent all in one direction by the wind that moves over it.

Even such a matter as walking along the streets is found to need to have a rule prescribed for it whenever the density of population reaches a certain point. Every other kind of progress becomes more difficult, and more of a contest and a struggle, as society advances, if things are left to themselves. In a simple state of society either the rule is not required or it establishes itself without being prescribed. Thus, for example, the son will then most commonly follow the occupation of his father; that is the natural course of things. Probably it was only after the primitive habit began to be frequently broken through, in the efforts

of individuals to keep their position under the pressure of an increasing population, that in such countries as ancient Egypt and Hindostan what originally had been only a natural and common habit was made a positive institution or imperative law. It is not consistent with the spirit of our modern and western civilisation to tolerate any social restrictions of that unbending and impassable kind; but we too have the same inconveniences and dangers to provide against, the same pressure to do what we can to relieve, the same threatening confusion to keep down; and, although we cannot set up partitions of brass throughout society, we can still do much in a less rigid way to keep its movements within distinct channels and to prevent its forces from wasting themselves in blind contentions and collisions. First of all, we can take care that there is light enough kept up, both by the diffusion of education and by the fullest information being regularly collected and published in regard to the condition and working of every department of the social machinery. The day is at hand when to attempt carrying on the business of legislation and government without a complete apparatus of statistical registration will seem the same kind of absurdity that it would be to attempt to carry on a great mercantile concern without a complete set of books. Then, in addition to plenty of lights and direction-posts, we can have the made roads and paved streets of society, that is to say whatever established courses there are of professional study and progress, kept always in the best repair, and subjected to improvement or remodelling whenever either is required.

But, in the increase of all the activities of society, such common roads may come to prove inadequate, however much extended; and it may be found advisable to resort to a system by which movement shall be still further facilitated by being more strictly confined to definite lines. Something like the principle of the railway may have to be introduced. Opportunities and inducements may be offered with the view of withdrawing a larger number of persons from the ever-thickening common struggle, and fixing them to lines of pursuit where they will come into no competition or conflict with others.

But, although it would seem to be the natural destiny of society that its movements should ultimately be performed much more than they yet are in grooves, or under regulations leaving little or no power of deviation to the individual, we shall probably go farther in the direction of licence and disorder, of the *laissez faire* principle and its anarchical results, before we get into a better system. If the need be for more of guidance and more of restraint, the cry continues to be for more liberty of individual action, for less of government superintendence and control, for a simplified organisation of the state, in which all institutions shall be abolished except only such as are necessary to keep every man's knife from another's throat and his hand out of another's pocket. This is what is demanded by Democracy and by the Republicanism of the day. It is what follows inevitably from the principle of government exclusively by the popular will. Such a govern-

ment needs no institutions. They only encumber and impede its action. The purpose of all institutions is to confine the motive power of the government, whatever it may be, within certain limits, and to subject its present impulse to correction if necessary by some counteracting force. Institutions imply the existence in the mechanism of the state of several forces, of forces tending in opposite directions. Where only one force is admitted institutions are useless and absurd. The case of a pure democracy is, as to this matter, the same with that of a pure despotism. The only difference is, that, as has been already shown, the pure democracy is an impossibility. But, although the theory is incapable of complete realisation, its tendencies are such as have been described.

The element, however, of the democratic and modern republican spirit which is most pointedly and irreconcileably opposed to all effective political organisation is the mania for what is called Equality. The notion is the product of a verbal trick. What is now designated political equality was originally introduced to the world under the less startling phrase of political justice; but the term justice is synonymous with equity, and equity is etymologically identical with equality; whence political justice and political equality were easily made to appear to be the same thing. It was assumed that there could be no justice in any political system under which all the people were not of equal rank. Yet the two things have in reality no connexion whatever. To make one of the great ends of the union of men in society the preservation among them of a perfect

equality of rank, even if it were nothing more and worse, would be as puerile as if a similar importance and dignity were to be assigned to the making them all wear coats of precisely the same cut and colour. Viewed in itself, and as an ultimate object, uniformity here does not seem to be at all necessarily preferable to variety, and it is not obvious why the cry of the regenerators of mankind should not be "Liberty and *In*equality," as well as what it is. Uniformity is doubtless proper in some things,—in weights and measures, for example; in other things a little variety is more desirable. A passion for equality in the abstract is a mere lunacy. And among fanaticisms this of political equality is surely one of the most unimaginative and basest. Perhaps in the ordinary case it is not so much an impatience or hatred of all superiority as an incapacity to conceive or to believe in anything greater or higher than itself;—as the mistake of the unhappy frog in the fable was mainly, that, if he only took pains and did his best, it was not possible that any other animal-roar should excel his own croak. He too, in his emptiness of head, and destitution of all sense or suspicion of any thing above or beyond his own insignificance, had evidently adopted the simple creed of Equality and Fraternity with an exceedingly ardent zeal. Often, however, the immense vanity is combined with as immense an envy. Some of the enthusiasts of the doctrine, again, seem to be inspired not so much by either envy or egotism as by a disinterested delight in the low and the flat. Anything rising above the common level, anything eminent or noble, offends their moral sense.

The world is full of inequality. It is everywhere, not the exception, but the rule. What greater inequality can there be than that one man should be born an Englishman and another a Hottentot? Or that one should be born a man of sense and another a fool? These are much more serious violations of equality than for one man to be born the son of a duke and another of a ditcher. Or what equality is there even in one man being born the heir to a large fortune, and another to nothing except what he can acquire by his own exertions? That is as much an artificial difference, a difference created by society itself, as any that is inherent in the institution of an hereditary nobility. The principle of equality is not more opposed to nobility than it is to property. But even if both were to be put down, nothing like real equality would be secured. It would only be seeing that everybody in running the race of life carried the same weight; the difference between one runner and another in strength and swiftness, which is what mainly wins or loses the race, would still remain. It may be desirable, or it may not, on other grounds that such natural distinctions, which cannot be got rid of, should be the only distinctions tolerated; but the principle of equality is as completely surrendered by their toleration as it could be by submission to any artificial ones.

Equality, in short, as a principle of social or political organisation, is an impracticability and an absurdity. The true principle is only, that the inequality should not be insurmountable. It should be for order, not for exclusion. The barrier that separates one class of

the community from another should be a door, not a wall. This is the principle of our English aristocratic system, and it is in this that its strength lies. It excludes no one. The most humbly born member of the community may rise to be an Earl or a Duke. The poorest man's daughter may become Duchess of Norfolk, and her son the premier peer of the realm. No sixteen quarterings, or any ancestral quarterings, are required to qualify either the man or the woman who may be called to any rank however high. The individual upon whom a peerage descends may have hitherto moved among the lowest of the people, and his progenitors for ages may have been all peasants or mechanics; that makes no difference; as soon as he has proved his pedigree he is as much a peer in all respects as if he had been born in the purple. Or, a man without having any ancestors at all, so far as is known, claims a seat in the House of Lords, and his patent of peerage is his sufficient passport. This happens every day. The House of Lords, in fact, is as much open and accessible to the ambition of anybody as the House of Commons.

The perfect freedom of action with which the hereditary principle, wherever it is set up among us, is thus left to diffuse its efficacy in all directions, seems to be so important an element of our system, and so essential to our social life and growth, that the infringement of it in any particular case must always be regarded as of suspicious policy. Almost the only restriction to which it has been subjected is that imposed by the modern law regulating the marriages of the Royal

Family. In so far as this law is designed to prevent the royal blood from mingling with that of a subject, it must be pronounced to be opposed to the general spirit and practice of the constitution. What would be thought of a proposition for extending such a law to the whole peerage, or even to our few ducal families? It is not apparent why the occasional descent of the crown upon the head of an individual, male or female, whose immediate parentage may have been comparatively humble, ought to be guarded against by extraordinary precautions, any more than the chance of the same thing happening in the case of the coronet of the Duke of Norfolk or the Duke of Somerset. If the rare accident would have some inconveniences, it would also bring some compensations. It would disguise somewhat the offensive nakedness of monarchism, that the kingship too should, like all the other honours and dignities of the State, circulate, at least in theory, wherever the unchecked law of nature might carry it. It is no doubt of the first importance that the succession to the crown should be kept as far as may be clear and indisputable; but a good general marriage law, enforcing publicity and registration, is all that is necessary for that end, or all, at least, that can be done to secure it.

CHARLES BRANDON'S WIDOW, AND HER SECOND MARRIAGE.

THE history of Henry the Eighth's younger sister, Mary the French Queen, and her second husband, Charles Brandon Duke of Suffolk, which has been pursued in our last volume down through the strange fortunes of their children and grandchildren, also diffuses itself laterally into a little chapter of out of the way biography which ought not to be passed over, although it will carry us back to a date which has been left some short distance behind. But it will not detain us long.

Brandon, who had been loved by so many women, and had been twice married, more or less effectively, before he became the husband of Mary Tudor, cannot well have been under fifty, and may have been a good deal older, when she died, at the age of thirty-five, after she had been his wife for eighteen years. He married, nevertheless, once more. His new wife, it may be remembered, was his ward, Catharine, in her own right Baroness Willoughby D'Eresby.* It is her story that is now to be related.

There used to be three peerages with the title of Willoughby,—the Baronies of Willoughby of Eresby,

* See *Vol. II. p.* 255.

of Broke, and of Parham; but the three families were all sprung from one stock. The Barony of Willoughby D'Eresby was conferred by writ of summons in 1313 upon Robert Willoughby, who had married Alice, eldest sister and one of the co-heirs of Walter Beke, whose father had been similarly created a peer of parliament in 1295, and whose male ancestors had been Barons Beke of Eresby by tenure from the time of the Conquest. Anthony de Beke, or Bec, the famous fighting Bishop of Durham in the time of Edward the First, was the son of Walter the seventh and last Baron by tenure. Eresby is in Lincolnshire. The Willoughbys also had been settled on their manor of Willoughby in that county ever since the Conquest, the first of them having come over from Normandy with William. The Barony of Willoughby de Broke was conferred by writ in 1492 upon a great-grandson of the fourth Baron Willoughby D'Eresby; that of Willoughby of Parham by patent in 1547 upon the great-great-great-great-grandson of his son the fifth Baron. From the same fifth Baron was descended in the same degree Catharine Baroness Willoughby D'Eresby. Her father, the eighth lord, whose only child she was, died in 1525.

She must have been born in 1518 or 1519; she therefore inherited the peerage when she was only six or seven years of age. It was not, however, till about three years later that the wardship of the young Baroness was obtained by the Duke of Suffolk;* but she probably resided with him and his wife during the last five years that the latter lived, and she would thus

* *Collins*, VI. 417.

be brought up under the eye of Mary Tudor from about her tenth till her fourteenth or fifteenth year. If the Duke married her, as he is said to have done, as soon as she was sixteen, he cannot have remained a widower much above a twelvemonth, if so long. Mary Tudor died on the 25th of June 1533; and the Baroness had livery of the lands of her inheritance on making proof that she was of the legal age (which in a female was sixteen) sometime in the 26th year of Henry VIII.,* that is, between April 1534 and April 1535. Brandon must in all probability have numbered considerably more than three times the years of his bride.

He lived, according to the common account, till 1545. Of several children that his last wife had brought him, only two sons survived;—Henry, now Duke of Suffolk, whose birth would appear to have taken place in 1535, and who must have been their first-born; Charles, who was two years younger.†

The devoted affection of the widowed mother went along with her conscientiousness and sense of duty in impelling her to make the education of her two boys the first business of her life. And they showed every promise of well rewarding her cares, and fulfilling her fondest hopes; for the bounty of nature to both of them had equalled that of fortune, endowing them

* *Collins*, VI. 417.

† According to this account, Brandon's two sons would at his death be of the ages of ten and eight. Yet their tutor and biographer, Sir Thomas Wilson, distinctly states that their ages were then only eight and six. Their births, as will appear from all that follows, cannot be dated later than in the text; it therefore follows either that Wilson is mistaken in regard to how old they were when they lost their father, or that their father died, not in 1545, but in 1543.

with every gift and grace, both of form and of mind, and adding to talents of the highest order the sweetest and most generous dispositions. The eldest seems to have been sent soon after his father's death to court, where he was brought up as the companion of the Prince of Wales, afterwards King Edward the Sixth, whose senior he would be by about two years; and he still remained with his young friend after the latter came to the crown in January 1547. Up to this time their common instructor had been Sir John Cheke; but the Duke's mother, we are told, latterly thought it right that her son should have the advantage of a separate tutor for himself. Meanwhile, his brother had been sent to the University of Cambridge, apparently before he had completed his twelfth year; their biographer expresses himself as if he had been there about a year before Martin Bucer was brought over from Germany, and made Professor of Divinity at Cambridge, which we know was in 1549. In the same year, he adds, in which Bucer came, the Duchess removed her eldest son from court, with the view of placing him likewise at the University; but he would seem not to have actually joined his brother there till a somewhat later date.

Brandon's young widow had by this time become a very zealous Protestant. How or when it was that she had caught the infection of the new opinions does not appear. She had been brought up a good Catholic by her mother, who was a Spanish lady, named Maria de Salines (or rather, perhaps, di Saluzzo), a near relation, it is said, of Catharine of Aragon, with whom

she had come over to England in the quality of one of her maids of honour. The heiress of Willoughby was no doubt named after that unfortunate Queen. It is not likely that she owed her conversion to her late husband, nor had it probably even taken place in his time. These changes were in most instances deferred by the higher classes till they had got the old King, with his furious caprices of temper and opinion, out of the way.

The accession of King Edward, however, would find the Duchess Dowager of Suffolk, if she had not spoken out before, among the readiest to declare themselves on the side of the now ascendant creed. For one thing, her nearest and most important connexions, the family of the Greys, the head of which had married her late husband's eldest daughter, had gone with the foremost in that direction, and it would have been natural for her to join them even if she had not felt very strongly on the subject. But she was probably the most eager of them all. She belonged by temperament and intellectual constitution to the movement party. All that we know of her marks her out as having been anything rather than a passive recipient of the influences of custom and circumstances.

The most genuine representation we have of her is that given in her own letters; both in the sentiment, and even in the style, they often anticipate a later time. A portion of one of them which has been preserved will illustrate her character, and also indicate something of her position at this period of her life. It is dated in May 1550, and relates to a scheme of the Earl

of Warwick's, for making a marriage between her eldest son and a daughter of the Duke of Somerset. Nothing could well be more foreign to the established feelings and usages of the age than the way in which she views this proposal. The letter is addressed to Cecil, with whom she lived in much intimacy. She trusts, she begins by saying, that the friendship between his lordship of Somerset and herself hath been so tried, and hath so good assurance upon the simple ground of their good will to one another, that they do not need to do anything rashly or violently in order to give the world a better belief of it; nor, to make the one think well of the other, can any unadvised bond between a boy and a girl do so much as what has already passed between them; on the contrary, if this marriage were now to take place by their command, the parties to the contract being as yet without judgment to give such a consent as ought to be given in matrimony, she cannot tell what greater unkindness the one might show the other, or how they might work more wickedly, than by bringing their children into the miserable state of not being allowed to choose according to their own likings those to whom they must profess so strait a bond and so great a love for ever. "This," she proceeds, "I promise you, I have said for my lord's daughter as well as for my son; and this more I say for myself, and I say it not but truly, I know none this day living that I rather wish my son than she. But I am not, because I like her best, therefore desirous that she should be constrained by her friends to have him, whom she might peradventure not

like so well as I like her. Neither can I yet assure myself of my son's liking, neither do I greatly mistrust it; for, if he be ruled by right judgment, then shall he, I am sure, have no cause to mislike, except he think himself misliked. But to have this matter come best to pass were that we parents kept still our friendship, and suffer our children to follow our examples, and to begin their loves of themselves without our forcing. For, although both might happen to be obedient to their parents and marry at our pleasures, and so find no other cause to mislike but that by our power they lost their free choice, whereby neither of them can think themselves so much bounden to the other, that fault is sufficient to break the greatest love. Wherefore I will make much of my lady's daughter without the respect of my son's cause, and it may please my lord to love my son for his mother's sake; and so I doubt not but, if God do not mislike it, my son and his daughter shall much better like it to make up the matter themselves. And let them even alone with it, seeing there can no good agreement happen between them that we shall mislike; and, if it should not happen well, there is neither they nor none of us shall blame another. And so, my good Cecil, being weary, I leave you to the Lord."*

The impression given of the Duchess by the good sense and good feeling of this letter is in accordance with whatever authentic testimony we have about her, and with all that we should gather from the events of her life. It may therefore fitly prepare us for following her through the rest of her story.

* *M. A. E. Wood*, III. 248.

St. John's appears to have been the college to which the young Duke and his brother belonged. The tutor of the Lord Charles Brandon from the time he entered the University had been, and still continued to be, the learned and able Thomas Wilson, who afterwards rose to considerable eminence both in the church and in the state,—becoming Sir Thomas, an ambassador, and finally Dean of Durham,—as well as in the republic of letters. The charge or general superintendence of the education of the Duke it had been the anxious hope of the Duchess that she might get undertaken by the illustrious stranger from Germany, Bucer himself, whose prelections had, ever since his coming to the University, been attended by her other son, and not only listened to, we are assured, by the eager boy, young as he was, with as much intelligence as enthusiasm, but taken down by him and carried off in ample reports. Bucer, however, died on the 17th of March, 1551; and the Duke never was actually the pupil of the erudite and amiable friend of Luther and Melanchthon. He was committed to the care of Dr. Walter Haddon, the distinguished Professor of Civil Law.

A little volume, which was published on occasion of the death of Bucer, consists in part of a collection of *Epigrams*, as they are called, or tributes to his memory in Latin verse (a few are in Greek), by his friends and admirers.* Of these the two first are by the Duke of Suffolk and his brother. They were probably both in perfect health when this volume issued from the press,

* "De Obitu Doctissimi et Sanctissimi Theologi Doctoris Martini Buceri, &c.; Item Epigrammata Varia, &c. London, 1551." 4to

in April or May, and placed before their mother's eyes and their own the first words of theirs that had been transmuted into irrevocable and imperishable typography, and delivered over to space and time to bear them away, none could tell how far abroad, or down over how many unborn generations. There, in that same little square-shaped page, where they were looked upon by her and by them, the simple verses may still be read by us after the lapse of three centuries. Before that one year was ended, the two young panegyrists of the great divine were themselves to be the subjects of the same kind of posthumous celebration that had been bestowed on Bucer.

It seems to have been after Bucer's death that the Duchess, in her desire to enjoy the society of her sons and to be the witness of their daily improvement, came and took up her own residence in Cambridge. And in doing this she may almost be said to have joined them in their academic life, and to have become in a manner one of the studious crowd in the midst of which she had established herself. Her house was only another college; every hour had its appointed lesson; even at meal times the rule and practice was that a chapter in the Greek New Testament should always be read aloud to the assembled company by the one brother, and afterwards interpreted in English by the other. Henry, the Duke, was the best Grecian, and also the greatest proficient in the French language; both were excellent Latin and Italian scholars. The Duke, who was tall and muscular, excelled in riding and in all martial exercises; Charles, who was of

smaller mould and more delicate beauty, was fond of music, and played on the harp with remarkable skill. Both were masters of a flowing elocution, and were wont to distinguish themselves in the logical disputations which at this date made so important a part of the discipline of the University.

In this year 1551, as Stowe records, the destructive pestilence called the Sweating Sickness broke out at Shrewsbury on the 15th of April, and did not cease raging in the northern parts of England till the end of September. In London and the neighbourhood, where it first appeared on the 9th of July, the poisonous contagion, we are told, had within three days after acquired such vehemence and irresistible force, that people in the best health were suddenly attacked, and were carried off in four-and-twenty hours, or often in half that time or less. It is to be noted too, the chronicler adds, that the mortality was chiefly among men, and among those in the flower and vigour of their age. When the disease reached Cambridge, the Duchess had her sons, along with two or three of their young friends, immediately removed to a country house she had about five miles distant at Kingston; she was herself suffering from a slight indisposition, and was not able to accompany them, but they were taken charge of by Wilson. That same night, however, one of the party, a youth named Charles Stanley, related to the Brandons, was taken ill; upon which the Duke and his brother were sent away the next morning to the house of the Bishop of Lincoln at Bugden, in Huntingdonshire, where their relation the Lady

Margaret Neville was residing. Stanley died ten hours after he was attacked. The Duke especially appeared to take the tidings of his death much to heart; and, as they sat at supper on the evening of their arrival at Bugden, he surprised and alarmed Lady Margaret by asking her where she thought they should all sup to-morrow night, and still more when, upon her answering, perhaps with some trepidation of voice, that it would be where they were met now, she hoped, or, if not, in some other friend's house, he rejoined that that would never be, that never again would they sup together in this world. Afterwards, when he saw how much she was frightened and distressed, he exhorted her with an affectionate smile to keep up her spirits; and when at a late hour the Duchess arrived at Bugden, she had the comfort of finding both her sons to all appearance well. But scarcely had she folded them in her arms and kissed them, when Henry was taken ill. A physician that she had brought with her plied all the resources of his art; but after five hours of agony the Duke was a corpse. Meanwhile Charles had also been seized soon after his brother. They lay in two chambers distant from one another; but when the elder expired the younger seemed to know what had happened by some mysterious sympathy. My brother, he said to the physician, is dead; but it matters little, I shall soon follow him. And in about half an hour he too rendered up his spirit. It was the morning of the 16th of July. Thus, as Wilson quaintly puts it, "Frater fratrem sequutus est, minor majorem, et Dux Ducem," (brother followed brother, junior followed senior, Duke

followed Duke). Charles had, of course, been by law Duke of Suffolk for the little half hour that he had survived his brother—probably the briefest tenure of a title in the annals of the Peerage. Henry was not quite sixteen, Charles not quite fourteen. And with him the Dukedom died.

The same year was printed a little volume in commemoration of the two brothers similar to the one which had been published a few months before on occasion of the death of Bucer, and to which they had contributed.* It is dedicated by Wilson to the new Duke and Duchess of Suffolk, that is, to Henry Grey, formerly Marquis of Dorset, and his wife Frances, the elder of the two daughters of Charles Brandon and Mary the French Queen: the Dukedom lately enjoyed by his wife's brothers had been revived and bestowed upon Dorset on the 10th of October.† The remainder of the volume consists of biographical accounts of the two Dukes by Haddon and Wilson, which occupy thirty-two of its pages, and of eighty-four pages of Epitaphs, or laudatory verse effusions about them, contributed by many members of both Universities.

But, while many mourned, it was upon one woman's heart that all the real weight of the terrible blow had

* "Vita et Obitus Duorum Fratrum Suffolciensium, Henrici et Caroli Brandoni, praestanti virtute et splendore nobilitatis Ducum illustrissimorum, Duabus Epistolis explicata. Adduntur Epitaphia, &c. Lon. 1551," 4to. The volume (which is of great rarity) is commonly stated to bear the date of 1552; but the title-page of the copy in the British Museum has 1551. It is very probable that it may have gone to a second edition. The Colophon is;—"Excusum Londini in ædibus Richardi Graftoni, Typographi Regii. Cum Privilegio ad Imprimendum solum."

† See *Vol. II. pp.* 257, 258.

fallen. She did not, however, suffer it to crush her. Her strength of mind and strength of religious faith were both too great for that. An interesting letter has been preserved which she wrote to her friend Cecil about two months after her bereavement. In the same September month of the preceding year, writing to him after he had been appointed Secretary of State, she had playfully begun:—"My good Cecil, But shall I call you so still, now you be Master Secretary? Choose you if you will not have it so, for till you deny it I will call you so."* More gravely she writes now:—"I give God thanks, good Master Cecil, for all his benefits which it hath pleased him to heap upon me; and truly I take this, his last (and to the first sight most sharp and bitter) punishment, not for the least of his benefits, inasmuch as I have never been so well taught by any other before to know his power, his love and mercy, my own wickedness, and that wretched estate that without him I should endure here. And, to ascertain you that I have received great comfort in him, I would gladly do it by talk and sight of you; but, as I must confess myself no better than flesh, so I am not well able with quiet to behold my very friends without some part of those evil dregs of Adam, to seem sorry for that whereof I know I rather ought to rejoice. Yet, notwithstanding, I would not spare my sorrow so much but I would gladly endure it, were it not for further causes that moveth me so to do; which I leave unwritten at this time, meaning to fulfil your last request to-morrow by seven o'clock in the morning. Then, if it please you,

* *M.A.E. Wood*, III. 249.

you may use him that I send you as if I stood by. So, with many thanks for your lasting friendship, I betake you to Him that both can and, I trust, will govern you to His glory and your best contentation. From Grimsthorpe, this present Monday. Your poorest but assured friend, K. SUFFOLK."*

In a letter from the Duchess to Cecil, written so long before this as August 1548, we find her making familiar mention of her friend *Bertue*, as having been lately with her at Grimsthorpe, and as having brought her a verbal message from the Duchess of Somerset relating to a matter of some delicacy about which she had previously written to her Grace.† Among the poetical tributes to the memory of the two young Dukes is one by *Richardus Bartaeus*, a member of the University of Oxford. In a postscript to a letter to Cecil,—written in June 1552, as she expresses it, "From Grimsthorpe, this present Wednesday, at six o'clock in the morning, and, like a sluggard, in my bed,"—the Duchess says:—"Master Bertie is at London, to conclude, if he can, with the heirs; for I would gladly discharge the trust wherein my lord did leave me, before I did for any man's pleasure anything else." ‡ The widow of Brandon, and mother of the two lately deceased dukes, was now on the eve of marriage with Mr. Bertie.

* *Wood*, III. 254. One reading ("further causes" instead of "far other causes") has been adopted from a copy of the letter previously published in Lady Georgina Bertie's *Five Generations of a Loyal House*, p. 11.

† See the letter in *Lady G. Bertie's* Work, p. 482. ‡ *Id.* p. 14

They were married at Grysby, in Lincolnshire, early in the following year 1553.

The Berties were a family of great antiquity, originally settled at Bersted, near Maidstone, in Kent, which takes from them its name, anciently *Bertiesteit*, that is Berties' steading, or town. If tradition may be relied upon, the first of them came over with the Saxons when they invaded the island in the fifth or sixth century, and even this distant progenitor had a distinguished ancestry, his forefathers having for some generations been *frank barons* of *Bartenland*, or *Bertieland*, in Prussia. It might be more correct to suppose that the stem of Prussian nobility had grown up after another branch of the family had taken root here. At any rate Leopold de Bertie, the head of the English house, is said to have held the office of Constable of Dover Castle in the reign of Ethelred the Second. But he, having had a private quarrel with that King, was induced to join the confederacy that brought over the Danish invader Sweyn; and the consequence was that when Sweyn died in 1014, and Ethelred for a moment recovered his authority, Leopold's son and heir, Burbach de Bertie, found it necessary to fly to France. There his posterity remained, till one of them, Philip de Bertie, came over in 1154 with King Henry the Second, who restored him to the lands of his ancestors. From this Philip all the English Berties of later times are believed to be sprung. Robert de Bertie, the seventh in descent from him, appears to have still retained some landed property at Bersted after the commencement of the sixteenth century; but the old estates had

been mostly alienated by his grandfather, Jerome, in the reign of Henry the Fifth. Thomas de Bertie, the grandson of Robert, having been appointed by Henry the Eighth the Captain of his newly-built Castle of Hurst, in Hampshire, held that office till his death in 1555; and Richard Bertie, who married the Duchess of Suffolk, was his eldest son. He was of about the same age with the Duchess, having been born in 1518. He had been educated at Corpus Christi College, Oxford; and all that he possessed at the time of his marriage seems to have been a Fellowship, which he then vacated. Although he had been brought up in the household of Thomas Wriothesley Earl of Southampton, Henry the Eighth's last Lord Chancellor, who was an uncompromising Romanist, Bertie had become a convert to the Reformed faith, and had no doubt, as well as the Duchess, made open profession of his new creed ever since the accession of King Edward.

But only a few months after their marriage came the death of that King, and the restoration of the supremacy of the old religion under Queen Mary. In August 1553 Bishop Gardiner was brought from the Tower, where and in the Fleet he had lain a prisoner for nearly six years, and not only replaced in his see of Winchester, but made Lord Chancellor and prime minister. It was not long before the Duchess of Suffolk attracted his attention.

John Foxe, the Martyrologist, whose narrative is our authority, will have it that Gardiner only surmised the Duchess to be one of his ancient enemies "because he knew he had deserved no better of her." There is

no difficulty in believing that a zeal and boldness like hers had carried her to lengths which could leave the Romanist bishop in no doubt as to how she stood affected both to his religion and his person. So now, as Foxe puts it, he set himself to devise, and that too in the holy time of Lent, "a holy practice of revenge." He resolved to begin by "touching her in the person of her husband." To the Sheriff of Lincolnshire, therefore, he sent down an attachment for "Master Richard Bertie, Esquire," with a special letter commanding the sheriff to execute the writ immediately, and to bring up his prisoner to London without admitting him to bail. If such was the Bishop's command the sheriff disregarded it; he only took Bertie's bond, with two sureties, for his appearance before the Bishop on Good Friday following; but on that day he presented himself at the episcopal palace near the church of St. Mary Overy's in Southwark. As soon as the Bishop was informed of his arrival by a gentleman of his chamber, "in a great rage," says Foxe, "he came out of his gallery into his dining chamber, where he found a press of suitors, saying he would not that day hear any, but came forth only to know of Master Bertie how he, being a subject, durst so arrogantly set at light two former processes of the Queen." Bertie declared he had received no subpœna before he was attached. It seems clear, however, that two had been issued, or at least that Gardiner so understood. But Bertie's calm assurance to the contrary could not but have its effect. "Well," said his lordship, "I have appointed myself this day, according

to the holiness of the same, for devotion, and I will not further trouble me with you. But I enjoin you in a thousand pounds not to depart without leave, and to be here again to-morrow at seven of the clock."

When Bertie returned at the time appointed, he found the Bishop engaged with Sergeant Stamford, to whom Bertie had been well known when he lived with the Earl of Southampton. Before he was called into the Bishop's presence, his lordship had been much mollified by the Serjeant's favourable report of him. First, however, "making a false train," as Foxe represents it, he demanded payment from Bertie of a sum of four thousand pounds in which he said his wife was indebted to the Crown as executor of her first husband. The debt, Bertie assured him, had been duly answered. "If it be true that you say," replied the Bishop, "I will show you favour." But there was another thing, of which he wished to admonish him, as wishing him well: he had heard an ill-report of his religion. "Yet," said his lordship, "I hardly can think evil of you, whose mother I know to be as godly and catholic as any within this land; yourself brought up with a master [Southampton], whose education if I should disallow I might be charged as author of his error. Besides, partly I know you myself, and understand of my friends enough to make me your friend. Wherefore I will not doubt of you. But I pray you, if I may ask you the question of my lady your wife, is she now as ready to set up the mass as she was lately to pull it down, when she caused, in her progress, a dog in a rochet to be carried and called by my name? Or

doth she think her *lambs* now safe enough, which said to me, when I veiled my bonnet to her out of my chamber window in the Tower, that it was merrily with the lambs now the wolf was shut up?" An incident of earlier date also stuck in the bishop's stomach. "Another time," he added, "my lord her husband, having invited me and divers ladies to dinner, desired every lady to choose him whom she loved best, and so place themselves. My lady your wife, taking me by the hand, for that my lord would not have her to take himself, said, that, forasmuch as she could not sit down with my lord, whom she loved best, she had chosen him whom she loved worst."

This certainly was cold courtesy, and what must have somewhat dulled the Bishop's appetite, if his hostess was not manifestly in jest; but it is difficult to believe either that she can have been serious then, or that he was so now. The answer put into Bertie's mouth, however, would seem to excuse his wife's rudeness only on the ground of some irresistible provocation that she thought she had received. "The words," he is made to say, "though in that season they sounded bitter to your lordship, yet, if it would please you without offence to know the cause, I am sure the one will purge the other." He denied that she had been either the author or the allower of the device of the dog. As for the mass, it was what she had learned utterly to abhor, "not only by strong persuasions of divers excellent learned men, but by universal consent and order whole six years past;" so that, if she were to set it up again, "she should both to Christ show herself a false Christian, and to her Prince a

masking subject." The confession by the lips of what was not believed by the heart could never be a means of salvation, but the contrary. After a little further talk, "I pray you," said the Bishop at last, "think you it possible to persuade her?" Bertie had no doubt that she might be brought to believe anything that was true; for she was reasonable enough. "It will be a marvellous grief," remarked his lordship, "to the Prince of Spain, and to all the nobility that shall come with him, when they shall find but two noble personages of the Spanish race within this land, the Queen and my lady your wife, and one of them gone from the faith." The interview ended by the Bishop exhorting Bertie to travail earnestly for the reformation of his wife's opinions, and releasing him from his bond with large professions of friendship.

All this, which is given for the most part in the Martyrologist's own words, hardly bears out his allegation of Gardiner's deep malevolence and vindictive feeling. It would appear, too, as if Bertie throughout the interview had carefully avoided any avowal of his own Protestantism. Nor, although it is asserted that he and the Duchess had every day, from the information brought to them by their friends, more and more reason to apprehend that the Bishop had his eye on her, and meant to call her to give account of her theological creed, should we be led to think that he was really meditating any mischief from the manner in which he continued to treat Bertie. It is evident that they had come to be on excellent terms with one another. Whether or no she really thought herself to be in

danger, the Duchess was extremely impatient to get out of England; and it was arranged that her husband should in the first instance make application for the Queen's license to enable him to pass beyond seas, on the pretence that he wished to recover some money that was due to his wife, as executor of her former husband, from the Emperor. The first thing Bertie did was to go to his friend the Bishop, to whom he said that he was very desirous to take advantage of the present moment to deal with the Emperor, when his son was about to marry the Queen. Gardiner thought his notion a very good one, but suggested that he had better wait till the Prince came over, when he would procure him his letters too to his father. Nay, Bertie replied, that would not, he conceived, under correction and asking his lordship's pardon, answer his purpose so well; when the marriage should have taken place, the Emperor would have got all he wanted; but till then he would refuse them nothing. "By St. Mary," said the Bishop, smiling, "you guess shrewdly. Well, proceed in your suit to the Queen, and it shall not lack my helping hand." Accordingly, Bertie, we are told, found so good success, that in a few days he obtained a license not only to go abroad, but to pass and repass the seas as often as he chose till his business should be finished.

With this passport he sailed from Dover in the beginning of June 1554. As Foxe tells the story, it does not appear with what purpose Bertie had desired to have the liberty of making more than one voyage, unless it might be the better to draw off any suspicion

that he intended to make his escape; for we hear nothing of his coming back. It is only said that on the 1st of January 1555 the Duchess followed him, according to an arrangement that had been made between them at parting.

The fact is, however, that Bertie, as may be supposed, did return to accompany and protect his wife in her flight. It is not improbable that he may have recrossed the seas more than once in the seven months that elapsed before she set out.

The old ballad of "The Most Rare and Excellent History of the Duchess of Suffolk," of which there is an original black letter copy in the Ashmolean Museum, makes her husband to have been with the Duchess when she started from London. But, although the ballad was printed in the reign of Elizabeth, this is probably a mistake. Her town house was the Barbican, being that from which the street so called takes its name. The site was one that had been famous of old time. Here stood the chief extra-mural watch-tower of Roman London. Barbican is a corruption of Burgh-kenning, the name which the Saxons gave to that building. The Roman fortress was demolished about the middle of the thirteenth century; and in the reign of Edward the Third the ground, having then standing upon it a manor house belonging to the Crown, called Base Court, was granted by the King to Robert de Ufford Earl of Suffolk, from whom it had descended to the Duchess through the marriage of her ancestor, John third Baron Willoughby d'Eresby, with his daughter the Lady Cecilia Ufford, eventually one of the heirs of

her brother, the second and last Earl, who died in 1382. This had therefore been the London residence of the Willoughbys for above a hundred and seventy years. It stood on the north side of the street.* Forth issued the Duchess from this old family mansion, betwixt four and five o'clock on that dark winter morning, carrying in her arms her daughter, an infant of about a year old. Up to the last moment the only person who had been privy to her design, Foxe says, was "an old gentleman, called Master Robert Cranwell, whom Master Bertie had specially provided for that purpose." She now, however, besides one person from her kitchen, one gentlewoman, and a laundress, selected four of her men servants to accompany her, the meanest that she had, "for she doubted the best would not adventure that fortune with her." They are described as having been, the first (who was of Greek birth) a rider of horses, another a joiner, another a brewer, the fourth a fool,—who surely, however, was not intended to be employed in his professional capacity on the present expedition. But just as she was about to step into the street from the gate-house, or porter's lodge, in which she had sat down for a moment while her attendants were carrying out the luggage, the house door opened, and the keeper of the house, one Atkinson, a herald, made his appearance with a torch in his hand; his watchful ear had been startled, for all the caution with which they had moved about. The Duchess instantly made her exit, leaving behind her in the gate-house a mail, or trunk,

* Where, in 1815, stood the houses numbered 33, 34, 35, &c., if we may rely upon *Nightingale's London and Middlesex*, III. 216.

containing necessaries for her daughter, and a milkpot from which she was feeding the child; and, desiring her servants to make their way as fast as they could to where she was to embark on the river, slipped into the court of Garter House, which adjoined her own.* Seeing nobody when he put his head out into the street, Atkinson probably felt little inclination in the circumstances to pursue his search, although, when upon looking into the gatehouse he found the trunk, he shrewdly suspected that his mistress had taken wing. She meanwhile, as soon as she found all quiet again, had re-emerged from her concealment, and was proceeding all alone through the dark streets.

The place where she was to take boat was Lion Quay, about halfway between London Bridge and Billingsgate; the distance from her house might be about a mile and half. But she knew only the name of the quay, and nothing of the way to it. "Likewise," continues Foxe, "her servants having divided themselves, none but one knew the way to the same quay. So she appeared like a mean merchant's wife, and the rest like mean servants, walking in the streets

* "Next adjoining to this [Willoughby House, or the Barbican] is one other great house, called Garter Place, sometime builded by Sir Thomas Writhe, or Writhesley, Knight, *alias* Garter Principal King of Arms, second son of Sir John Writhe, Knight, *alias* Garter, and was uncle to the first Thomas Earl of Southampton, Knight of the Garter and Chancellor of England. He built this house, and in the top thereof a chapel, which he dedicated by the name of *S. Trinitatis in alto.*" *Stowe, Survey* (edit. of 1633), p 319. In the reprint of Foxe's *Acts and Monuments*, edited by the Rev. G. Townsend and the Rev. S. R. Cattley, 8 vols. 8vo., London, 1837, &c., "Garter-house" in this passage (vol. VIII. p. 572) is transformed into "Charter-house."

unknown. She took the way that led to Finsbury Field, and the others walked the city streets as they lay open before them, till, by chance more than discretion, they met all suddenly together a little within Moorgate." This might have been better arranged in the long time the adventure had been in contemplation. They had still a considerable way to go; but keeping together they soon got to the quay, and, although the morning was so hazy that the steersman was with difficulty prevailed upon to put out, they at last found themselves all nine safe on board a barge —the Duchess and Cranwell and her seven attendants— and fairly off on their way down the river.

They landed, probably that evening, at Leigh, the same place to which, it may be remembered, Arabella Stuart proceeded in the first instance in her unfortunate attempt of later date. The flight of the Duchess had been communicated to the council at an early hour; some of them had forthwith proceeded to her house to take an inventory of her goods; order had been taken for search and watch to apprehend and detain her; and the news had already reached Leigh before she herself got thither. That being the case, it seems surprising enough that, even disguised as she was, she could have landed with so numerous an attendance without exciting suspicion. But all that is stated is that Cranwell had an old acquaintance living in the neighbourhood of Leigh, one Gosling, a merchant of London, and that in his house he deposited the Duchess, who passed as Mrs. White, Gosling being known to have a daughter so called

who had never been in that part of the country. Here she appears to have remained for more than a month, in which time she made other clothes for her child to replace those left behind in the gatehouse. As to how the seven attendants were disposed of nothing is said.

Foxe speaks as if she had at last embarked for the continent at Leigh. The night before she took ship, he says, she was constrained to lie at an inn there, "where she was again almost bewrayed, yet notwithstanding, by God's good working, she escaped that hazard." "At length," he continues, "as the tide and wind did serve, they went aboard, and, being carried twice into the seas, almost unto the coast of Zealand, by contrary wind were driven to the place from whence they came; and at the last recoil certain persons came to the shore, suspecting she was within that ship; yet, having examined one of her company that was a land for fresh achates [provisions], and finding, by the simplicity of his tale, only the appearance of a mean merchant's wife to be a ship-board, they ceased any further search." It appears from authentic evidences that, in point of fact, the Duchess, accompanied by her husband, set sail on the 5th of February from Gravesend. They are stated to have been accompanied by a gentlewoman named Margaret Blakeborne, late of London.*

They landed, according to the Martyrologist, in Brabant, so that they must have continued their voyage

* See documents published in Lady Georgina Bertie's *Five Generations*, pp. 491 and 497.

up the Rhine. It would not appear from his narrative that any arrangements whatever had been made by Bertie in the seven months that he is represented as having been abroad; the hasty and inaccurate chronicler does not even seem to remember that he has never yet brought the husband and wife together again since the departure of the latter for the Continent in June of the preceding year. Nothing has been said of either the rider, the joiner, the brewer, or the fool having been any where dropt or left behind; all we are told is, that, as soon as the Duchess had landed, "she and her women were apparelled, like the women of the Netherlands, with hooks; and so she and her husband took their journey towards Cleveland, and, being arrived at a town therein called Santon, took a house there, until they might further devise of some sure place where to settle themselves."

They had not been long in Santon, however, when it began to be whispered that they were greater personages than they gave themselves out as being. On this, as the authorities of the place were understood not to be favourably disposed to persons of their religion, Bertie determined to remove to Wesel, where there was a congregation of Walloon refugees, through whose minister, Francis Perusel, then known as Francis de Rivers, with whom he had been acquainted in England, he had already made application to the magistrates for permission to reside with his wife in their town. It was still the month of February when he and the Duchess, having only their child and two servants with them, set out together from Santon about three o'clock one after-

noon on foot, as though they meant merely to take the air.

The distance to Wesel was about five miles. But they had not walked above a mile when it fell to rain heavily. The night was also now fast coming on. In these circumstances the servants were sent to inquire in several villages near which they passed for some conveyance, but without success. In their absence Bertie was obliged to carry the child, and the Duchess her husband's cloak and rapier. At last they reached Wesel between six and seven o'clock. But now they were worse off than ever; "for going from inn to inn, offering large money for small lodging, they were refused of all the innholders, suspecting Master Bertie to be a lance-knight, and the Duchess to be his woman. The child for cold and sustenance cried pitifully; the mother wept as fast; the heavens rained as fast as the clouds could pour."

The old black letter ballad tells all this quite differently. According to that version of the story, the Duchess and her husband, with their child and its nurse, each by a different road, made their way to Billingsgate; thence they got to Gravesend in the common barge; from Gravesend they walked to the sea-coast; landing in Flanders, as they were travelling on thence into Germany they were attacked by thieves, when not only were they robbed of all their money, and had their horses killed, but

> "The Nurse amidst of all their fright
> Laid down the child upon the ground;
> She ran away out of their sight,
> And never after that was found."

That is, the nurse ran away and was lost, not the child. At last, sometimes the one sometimes the other carrying the infant through the pitiless rain and hail, they came to a town, which proved to be Wesel. But the people here were all as pitiless as the weather; no one would give them shelter; so that they were obliged to take refuge in the porch of the great church of St. Willebrode, where, procuring a few coals, the husband kindled a fire, beside which his wife sat down with her child in her lap while he prepared some food for it. Speedily, however, the sexton came upon them, and proceeded to drive them away; on which Bertie, wrenching from him the keys of the church, struck him till he made the blood flow all down his head, and his cries brought the town officers about them, by whom the strangers were forthwith carried before the governor. The ballad is ornamented with a woodcut representing the belaboured sexton, with the blood spouting out from his head in eight distinct streams, two descending symmetrically on each side, the other four rising into the air, while Bertie is still laying on with the keys, and the Duchess, seemingly unconcerned, sits dandling her baby beside the fire.*

According to the Martyrology Bertie only thought he should be obliged to take his wife to the porch of the great church, "and so to buy coals, victuals, and straw for their miserable repose there that night, or at least till by God's help he might provide her better

* See the *fac simile*, with the reprint of the ballad, in Lady Georgina Bertie's *Five Generations*, p. 487. The ballad is also printed in the scarce *Collection of Old Ballads*, 3 vols. 12mo. London, 1725, Vol. III., pp. 91—98; and in *Evans's Old Ballads*, III., 135—142.

lodging." But while he was on his way thither he overheard two boys talking Latin, and making up to them, and addressing them in that language, he offered them two stivers if they would conduct him to some Walloon's house. They were the first of the inhabitants to whom he had been able to make himself intelligible; for he could as yet speak but little German, and he had met with nobody till now that understood either Latin, English, French, or Italian. As it fortunately chanced, the house to which the boys led him was one where his friend Perusel, the Walloon clergyman, was then supping. The details of their meeting must be sought for in the *Acts and Monuments*, or left to the reader's imagination; but of course the wanderers had a warm reception and a comfortable lodging for that night; "and within few days after, by Mr. Perusel's means, they hired a very fair house in the town, and did not let [refrain] to show themselves what they were, in such good sort as their present condition permitted." Here, on the twelfth of October 1555, the Duchess was delivered of a son, who two days after was baptised by the name of *Peregrinus*, or Peregrine, "for that," to translate the terms in which the event was recorded at the time in the Register of the City, "he was given by the Lord to his pious parents in a strange land, for the consolation of their exile."

Their perils, however, were not yet at an end. After some time, warning was given them of a design for effecting their apprehension, which induced Bertie to transfer himself with his wife and children from Wesel to Windsheim in the Palatinate, now in the kingdom of

Bavaria. Here, under the protection of the Palgrave, "they continued," we are told, "till their necessaries began to fail them, and they, almost fainting under so heavy a burthen, began to fail of hope." At this crisis, "in the midst of their despair," letters unexpectedly were brought to them from the King of Poland, Sigismund Augustus, offering them an asylum in his dominions; his majesty had been interested about them by the Baron John Alasco, who had known them in England. They hesitated at first to remove to so great a distance from their own country; but eventually they made up their minds to undertake the journey, on which they set out in April 1557. The women and children travelled in a waggon; Bertie and four men servants, perhaps the four they had brought from England, on horseback. Their principal adventure was a quarrel in which Bertie got involved, through a spaniel he had with him, with the captain of a landgrave through whose territories they passed soon after starting; the captain and his men thrust their boar-spears through the waggon in which the Duchess was, and Bertie was obliged to put spurs to his horse and to take refuge in a town that happened to be near; even there he had to defend himself for some time with his dagger and rapier against the populace, excited by the report that he had killed the captain; but at length the burgomaster and another magistrate that could speak Latin came up, when he was enabled to explain the case, and to obtain protection. They placed him in custody till the affair should be inquired into; but early the next day a personage who is called the Earl of Erpach, that is, probably,

Erbach in Hesse-Darmstadt, whose residence was in the neighbourhood, and to whom Bertie had written, came to the town, and quickly set all to rights. "And thus," the story ends, "Master Bertie and his wife, escaping that danger, proceeded in their journey towards Poland, where in conclusion they were quietly entertained of the King, and placed honourably in the Earldom of the said King of Poles, in Sanogelia, called Crozan, where Master Bertie with the Duchess, having the King's absolute power of government over the said Earldom, continued both in great quietness and honour till the death of Queen Mary."*

Bertie and his wife appear to have prepared to return home as soon as they heard of the accession of Elizabeth. A letter from the Duchess to her Majesty is preserved, dated "From Crossen, in Sanogelia, the 25th of January," 1559, in which, after much pious thanksgiving to heaven for the blessed change that has taken place, she says: "Only I greedily wait and pray to the Almighty to consummate this consolation, giving me a prosperous journey once again presently to see your Majesty, to rejoice together with my country folks, and to sing a song to the Lord in my native land."† She and her husband no doubt arrived in England early in this year.

There is little more that needs to be told of either the Duchess or Bertie. She survived till the 19th of

* It has been conjectured that *Sanogelia* is Samogitia. If so, perhaps *Crozan* is Kroze, a small town in that Duchy, in which was formerly a Jesuit College. Or, possibly, *Crozan* in *Sanogelia* may be Krosna, or Krosno, in Sanock, in Red Russia.

† *Five Generations*, 35.

September 1580, he till the 9th of April 1582, as is recorded on their monument erected where they lie interred together in the church of Spilsby in Lincolnshire. They had no more children after their return from exile: at least they left no others except the daughter, Susan, born in England in 1553 or 1554, and the son, Peregrine, born at Wesel in 1555. The former became the wife of Reginald Grey Earl of Kent, by whom however she had no issue, and after whose decease, which took place in 1572, she remarried Sir Thomas Wingfield. The latter succeeded on the death of his mother as eleventh Baron Willoughby D'Eresby, and was a very distinguished military man throughout the reign of Elizabeth, of which, however, he did not see the termination, dying in 1601, at the age of forty-five. His son and heir Robert Bertie, the twelve Baron, was created Earl of Lindsey by Charles the First in 1626, and, being the general on the royal side at the battle of Edgehill, in October 1642, was there wounded and taken prisoner, and died the next day. The present Earl of Lindsey is his descendant. His equally gallant son Montague, the second Earl, was also the father of James first Earl of Abingdon, so created in 1682, the ancestor of the present Earl of Abingdon. Robert fourth Earl of Lindsey was created Marquis of Lindsey in 1706, and Duke of Ancaster and Kesteven in 1715; but these titles expired on the death of the fifth Duke in 1809. And on the death in 1779, of the fourth Duke of Ancaster, who was the seventh Earl of Lindsey and the eighteenth Baron Willoughby D'Eresby, the Barony fell into abeyance between his two sisters, Priscilla

Barbara Elizabeth, married a few months before to Peter Burrell, Esq., of Beckenham, in Kent, who was in 1796 created Baron Gwydyr, and Georgiana Charlotte, who in 1791 married George James first Marquis of Cholmondeley; but in the following year the abeyance was terminated in favour of the former, on whose death in 1828 the peerage fell to her eldest son, Peter Robert, who had already in 1820 succeeded his father as second Baron Gwydyr, and is the present Baron Willoughby D'Eresby and the twentieth in that honour. Thus the original family name of Willoughby has now given place to that of Burrell in the line in which the oldest title has descended. But the name that has made the greatest figure in the annals of this distinguished family is that of Bertie, which was the surname of the Lords Willoughby D'Eresby for two centuries, and of the Dukes of Ancaster for one, as it still is that of the Earls of Lindsey and the Earls of Abingdon. It was fit, therefore, that to one bearing that name should fall the task which has been undertaken by Lady Georgina Bertie in her *Five Generations of a Loyal House*, in which she has already illustrated the history of Richard Bertie, who married the Duchess of Suffolk, and of his son Peregrine Lord Willoughby with so pious and affectionate a zeal, and, more especially in the case of the latter, whose public life is a part of the history of the country during the two last decades of the reign of Elizabeth, with so much new and curious information.

The Barony of Willoughby de Broke also still subsists, the present peer being the sixteenth Baron. That of

Willoughby of Parham became extinct on the death of the seventeenth Baron in 1779.

An incident in the life of the Duchess of Suffolk has only been lately brought to light by a writer who has been led at the same time to enter into the first complete investigation of another story of that age, previously very imperfectly known. When the short account of the Lady Mary Gray given in the last volume was drawn up, I was not aware of the large amount of new information respecting her brought forward by Mr. Burgon in his *Life and Times of Sir Thomas Gresham.*

It appears that the name of the Queen's Sergeant-Porter whom Lady Mary married in August 1565 was Thomas Keyes, not *Martin* Keyes as Camden and all other writers after him have stated. He was a widower, with several children by his former wife. The marriage took place, at about nine o'clock at night, in Keyes's chamber by the Water Gate at Westminster, in the presence of his brother, Mr. Edward Keyes, and three other persons, of whom one was a Mrs. Goldwell, described as a servant of the Lady Howard; the service in the Book of Common Prayer was used; the priest wore a short gown, and was old, fat, and of low stature. On her examination by order of the council, Lady Mary affirmed that she had consulted with nobody before thus disposing of herself. The only presents, she said, the Sergeant had given her were, first, two little rings; then, a ring with four rubies and a diamond; lastly, a chain, and a little hanging-bottle of mother of pearl. She had an income of her own of 100*l.* a-year.

Keyes was immediately committed to the Fleet, and Lady Mary was made over, after a few days, to the charge and custody of William Hawtrey, Esq. of Chequers, in Buckinghamshire. The old house at Chequers still stands—or at least did in 1839, when it was the property and residence of Sir Frankland Russell, Baronet; it is described by Mr. Burgon as a beautiful mansion, standing in shade and seclusion under the shelter of the Chiltern hills, and as surrounded by romantic haunts with the poetic names of Velvet Lawn, Silver Spring, and Happy Valley. At first it was ordered that the captive should be kept confined within doors, without being allowed to converse with any one, and with only one waiting woman to attend upon her; for her Majesty took the offence she and Keyes had committed much to heart. Eventually, however, it was agreed that she should be allowed a groom as well as a gentlewoman, and also that she should have permission to go abroad occasionally.

She continued at Chequers for about two years. Burghley (then Sir William Cecil), notes in his Diary, as printed by Murdin, that about the beginning of August 1567 she was "exchanged from Mr. Hawtrey to the Duchess of Somerset's charge;" but the evidence brought forward by Mr. Burgon can leave no doubt that the Duchess of *Somerset* has been here miswritten by Burghley (or, possibly, misprinted by his editor) for the Duchess of Suffolk. That Lady Mary was now transferred to the keeping of her grandfather's widow is proved by a highly curious letter written by the latter from the Queen's House at Greenwich on the 9th of August to her "very good friend Mr. Secretary," which Mr. Burgon has printed from the original in the State Paper Office. Hawtrey, she says, had brought the Lady Mary to her when at the Minories on the preceding Friday night, just as she was about to leave London for Greenwich. So she had remained in town that night, and they had come down to Greenwich together the next morning. But both there and in London she is almost entirely unprovided with *stuff*, or furniture; all that she and her husband had left when they returned from abroad, and all that they had since been able to scrape together, scarcely sufficed for their houses in Lincolnshire. They had meant at this time to buy some new, if their purses could afford it. All this, "by reason," she continues, "of my trouble with my son's sickness, and other chances of my maid's [her daughter's] death,—the one driving me from London, the other making me to have joy or care for nothing—hath made me the more unprovided. But the special cause, to say truly, is for lack of money." She had been obliged to tell Mr. Hawtrey how matters stood, and to beg of him that Lady Mary's furniture might be sent before she herself made her appearance, that a chamber might be in readiness for her; "but would God," she exclaims, "you had seen what stuff it is!" It consisted of an old feather bed, all torn and full of patches, without either bolster or counterpoint, and only two old pillows, one longer than the other; an old quilt of silk, with the cotton coming out through the holes; "such a little piteous canopy of red sarcenet" as was scarcely good enough for the meanest purpose; "and two little pieces of old, old hangings, both of them not seven yards broad." She earnestly, therefore, begs of Cecil that he will be a mean for her to the Queen's Majesty that Lady Mary may have the furniture of one chamber for herself and her maid; "and she and I," says her Grace, "will play the good housewives, and make shift with her old bed for her man." "Also," she goes on, "I would, if I durst, beg further some old silver pots to fetch her drink in; and two little cups to drink in,—one for beer, another for wine. A basin and an ewer I fear were too much; but all these things she lacks, and it were meet she had; and hath nothing in

the world. And, truly, if I were able to give it her, she should never trouble her Majesty for it. But, look, what it shall please her Majesty to appoint for her shall be always ready to be delivered again, in as good case as by her wearing of it it shall be left, whensoever it shall please her Majesty to call for it." How vividly these touches bring out the picture of the royal parsimony! The good Duchess adds still a few more kind-hearted words about the poor prisoner. She trusts she will do well in time, but as yet, though her Grace is sure she is very glad to be with her, she is "so sad," she says, "and ashamed of her fault (I think it is because she saw me not since before), so that I cannot yet since she came get her to eat, in all that she hath eaten now these two days, not so much as a chicken's leg."

Little more than six months before this her poor sister Catharine, visited with the like pitiless retribution for the like indiscretion, had sunk into the grave after nearly six years' imprisonment, her heart probably long forsaken by all hope that she and her husband would ever meet again on earth. In the latter respect Lady Mary's fate was the same with hers. She continued under the charge of the Duchess till June 1569, when she was committed to the keeping of the great merchant Sir Thomas Gresham, much to his discomfort, still more to the annoyance and vexation of his wife. Gresham never ceased to petition that she might be removed, were it only for the umbrage she gave to his better half, all the time she was an inmate of his house. Meanwhile the unfortunate Sergeant-Porter —he had held that or some other office about the Court for two-and-twenty years—was left to die by inches in the Fleet under the accumulated pressure of broken health, ruined fortunes, the harshest usage, and, as it would appear, a keen sense of the oppression to which he was subjected. At last, on the 8th of September 1571, Gresham writes to Burghley as follows:—"It may please you to be advertised, that one Mr. Doctor Smith, my Lady Mary Grey's physician, has this day, at twelve of the clock at noon, brought me word that Mr. Keyes, late Sergeant-Porter, is departed; which I have broken unto my Lady Mary; whose death she grievously taketh. Who hath requested me to write unto you to be a mean to the Queen's Majesty to be good unto her, and that she may have her Majesty's leave for to keep and bring up his children. As likewise I desire to know her Majesty's pleasure whether I shall suffer her to wear any black mourning apparel or not. Trusting that now I shall be presently dispatched of her, by your good means, and my Lord of Leicester's, to whom it may please you to do my most humble commendations."

The love must have been deep-seated, and the heart an affectionate one, over which six years of separation had passed so harmlessly. Her

passion, returning in this hour of sorrow to its first vehemence, roused even her humble, timid nature to a boldness upon which it had never yet ventured. Hitherto she had always used her maiden name; but now, writing to Burghley about a month after she had become a widow, she deems it due to the dead to subscribe herself for once MARY KEYES. "Seeing that God had taken away the occasion of her Majesty's justly conceived displeasure," she begged to be restored to favour. And she probably was, in a degree, after some time. Gresham is supposed to have been delivered of her before the end of the year 1572. On the 1st of January 1578, among other New Year gifts her Majesty received one from the Lady Mary Grey of "two pair of sweet gloves, with four dozen buttons of gold, in every one a seed pearl;" and Lady Mary had in return a cup with a cover weighing eighteen ounces. She died on the 20th of April in that same year. Like her two elder sisters, Lady Mary had probably received a learned education. She left a small collection of books, a list of which, taken soon after her death, is still preserved in the State Paper Office. They are mostly theological.*

* *The Life and Times of Sir Thomas Gresham; by John William Burgon.* 2 Vol. 8vo. London: 1839. Vol. II. pp. 386–416.

SIR ROBERT DUDLEY.

An episode in, or *pendant* to, the history of the Favourite Leicester, which was reserved for separate treatment, may now be conveniently disposed of. The reader may remember the son born to the Earl by the Lady Sheffield, whom in his will, written in September 1587, about a year before his death, he styles his "base son Robert Dudley," and whom he left heir of Kenilworth Castle, and the bulk of his other lordships and lands, after only a life occupancy by his brother the Earl of Warwick.

Douglas Lady Sheffield was a lady of the highest birth and connexion. Her father, William Howard first Lord Howard of Effingham, and Lord High Admiral, was the youngest son, by his second wife, of Thomas second Duke of Norfolk. Douglas was therefore first cousin (by the half blood) to Queen Anne Boleyn, and first cousin once removed to Queen Elizabeth. She must have become the wife of John Sheffield second Lord Sheffield by the year 1561 or 1562 at the latest, if her son by him (whom Charles the First made Earl of Mulgrave, and who was the great-grandfather of Sheffield, the very minor poet, elevated to the rank of Marquis of Normanby by King William and to that of Duke of Normanby and Buckingham by Queen

Anne) died, as he is said to have done, in 1646 at the age of eighty-three.* Her birth in that case can hardly be placed later than the year 1545. She would be at least twenty-three, therefore, when she became a widow by the death of Lord Sheffield in December 1568; and in May 1573, when Leicester, who had been a widower since 1560, and was now of the age of two or three-and-forty, held the court gossips in doubt whether he intended to surrender himself to her or to her younger sister Frances, she would be at least twenty-eight. Yet Frances—the same who afterwards married poor Catharine Grey's Earl of Hertford†—was at this time, if we may trust to the inscription on her monument, no more than nineteen. She was not, indeed, Lady Sheffield's next sister.‡

The two sisters, we are told by an actual observer writing under this date, had both been long in love with Leicester, and were now "at great wars" with one another about him; an unseemly competition, which, it is added, made Elizabeth think not well of them, and not the better of him.§ Probably, however, the widow had already secured the prize. According to her own account, as reported by Dugdale, who, however, gives no dates, she and Leicester were first united by a private marriage, or contract, in a house in Cannon Row,—that same street on the river bank in which, it may be remembered, the Earl of Hertford and the Lady Catharine Grey had, as they affirmed, some twelve or thirteen years before this been secretly made

* *Collins, 1st Edit.* (1735) I. 146.
† See *Vol.* II. *p.* 389.
‡ *Collins, 5th Edit.* V. 18.
§ See *Vol.* I. *p.* 71.

man and wife. The more solemn marriage ceremony did not take place till after an interval of two years, when it was performed, Dugdale tells us,—still speaking, as he intimates, from the depositions of the lady and her friends in the records of the Court of Star Chamber,—"in her chamber at Asher (Esher), in Surrey, by a lawful minister, according to the form of matrimony by law established in the Church of England, in the presence of Sir Edward Horsey, Knight, that gave her in marriage, as also of Robert Sheffield, Esq., and his wife, Dr. Julio, Henry Frodsham, gentleman, and five other persons whose names are not specified." Whether any of these witnesses still lived when this story was first made public, and were produced to testify to its truth, does not appear. The ring, it seems,—which was set with pointed diamonds and a table diamond—was one that had been presented to Leicester by the Earl of Pembroke's grandfather upon condition that he should never give it to any one but the woman he should make his wife. It is added that the Duke of Norfolk was the principal mover of the marriage. Thomas, fourth Duke of Norfolk, the unfortunate lover of Mary Stuart, was executed in June 1572, and there was no other Duke for nearly a century. Leicester, Dugdale proceeds, under pretence of his dread of the Queen's indignation, made his wife vow never to reveal their marriage till he should give her leave; whereupon all her servants were commanded to keep it secret; and no one of them, we are expected to believe, ever whispered it either while Leicester lived or for many years after his death. But two days

after being brought to bed of her boy, who was born at Sheen (now Richmond), and "there christened by a minister sent from Sir Henry Lee, having to his godfathers the Earl of Warwick and the said Sir Henry, and to his godmother the Lady Dacres of the South, by their deputies," the mother, we are assured, received a letter from the Earl, in which "he thanked God for the birth of his said son, who might be their comfort and staff of their old age," and subscribed himself her *Loving Husband.* From this time, it is added, she was served in her chamber as a Countess, till Leicester commanded that the ceremonial should be discontinued for fear their marriage should get wind.*

At whatever date the marriage took place, or whether or not it ever took place, the boy probably came into the world, at the latest, in 1573 or 1574. The author of *Leicester's Commonwealth* says there was besides a daughter, "born, as is well known, at Dudley Castle."† But, at any rate, by the year 1578, Lady Sheffield, relinquishing Leicester, the father of her child, or children, had become the wife of Edward Stafford, Esq., of Grafton, soon after dubbed Sir Edward; and in that same year Leicester openly married Lettice widow of Walter Earl of Essex, to whom he had been privately married, as he and she averred, some time, we do not know how long, before.‡

Leicester, vehemently suspected of having begun his career of ambition by getting the wife of his youth put out of the way that he might be free to marry the

* *Dugdale's Warwickshire*, I. 250. See also *Baronage*, II. 222.
† *Memoirs*, 38. ‡ See *Vol.* I. *p.* 77.

Queen, was very generally thought to have since procured the murder both of the Lord Sheffield and of the Earl of Essex. Each of the three deaths certainly fell out very opportunely for his purposes at the moment; and it is not to be wondered at that so remarkable a succession of events should have occasioned some speculation. But his connexion with Lady Sheffield, even if he did not poison her husband, and whether we take the lady's version of the facts or his own, is a sufficiently extraordinary chapter in the life and adventures of a great religious leader and professor. The gay Lothario had long passed for an oracle of piety and sound theology. Even learned divines were accustomed to consult him on points of doctrine and cases of conscience. Thus, in answer to an application from his chaplain Dr. Chaderton (afterwards Bishop successively of Chester and Lincoln) who, being minded to enter into matrimony, had laid before his noble patron some misgivings or doubts that troubled him touching the lawfulness of such a proceeding in a person of his calling, we have the Earl handling the delicate subject in as edifying a fashion as if he had taken upon himself the three monastic vows. Marriage he declares, after St. Paul, to be expedient only for such as do not feel themselves to be endowed with the superior strength of virtue requisite for the maintenance of a holy celibacy; "which gift or disposition," adds his lordship, "you can best judge of in yourself, being his ordinance that frameth the hearts of all creatures according to his divine pleasure; to whose providence we must all submit ourselves and

actions, and in whose fear I doubt not but you have only thus disposed your mind in this matter of your marriage."* This was written in June 1569, some six months after the death of Lord Sheffield.

When he became a captive to the fascinations of Lady Essex, or rather probably when he found it necessary to marry that lady, Leicester earnestly sought to persuade Lady Sheffield, if she may be believed, to let him off from his entanglement with her; "offering her no less than seven hundred pounds per annum in the close arbour of the Queen's Garden at Greenwich, in the presence of Sir John Hubaud and George Digby, in case she would do so;" and upon her rejection of this amicable proposal, endeavouring to frighten her into compliance by protesting that he would never more come near her, "and that she should never have a penny of him." Up to this time the boy had remained in her custody; but now Leicester offered her a thousand pounds if she would give him up to Sir Richard Horsey, Captain of the Isle of Wight, to be conveyed thither and there brought up by Horsey. This offer also, however, she refused,—whether because the sum, so precisely specified, was too small, is not stated. Dugdale's narrative goes on to impute the worst purposes to Leicester. "And there wants not strong suspicion," he adds, "that, being doubtful lest the life of the same Lady Douglas might minister discourse of this foul play, he designed to dispatch her out of this world; for certain it is that she had some ill potions given her, so that, with the loss of her hair and nails,

* *Peck*, I. 81.

she hardly escaped death; which being discerned, to secure herself from the like attempts for the future, she contracted marriage with Sir Edward Stafford, Knight, a person of great honour and parts, and some time employed as an ambassador into France; whereof afterwards most sadly repenting, she said that she had thereby done the greatest wrong that could be to herself and son." *

The convenient retainer who took Lady Sheffield off Leicester's hands was a person of very distinguished extraction. He was the son of Sir William Stafford, Knight, by the Honourable Dorothy Stafford, whose father was Henry Lord Stafford, only son of Edward the last Stafford Duke of Buckingham, and whose mother was Ursula daughter of Sir Richard Pole, by his wife the unfortunate Margaret Countess of Salisbury, the last of the Plantagenets, daughter and heir of George Duke of Clarence, the brother of King Edward the Fourth and King Richard the Third.† But, besides

* *Warwickshire*, I. 250, 251.

† The monument of Sir Edward Stafford's mother, Lady Dorothy Stafford as she is styled, is still to be seen in the north aisle of St. Margaret's Church, Westminster, where she is interred. After relating her high descent the inscription proceeds:—"She continued a true widow from the age of twenty-seven till her death. She served Queen Elizabeth forty years, lying in the bedchamber, esteemed of her, loved of all, doing good all she could to every body: never hurted any; a continual remembrancer of the suits of the poor. As she lived a religious life, in great reputation of honour and virtue in the world, so she ended in continual fervent meditation and hearty prayer to God. At which instant, as all her life, so after her death she gave liberally to the poor; and died, aged seventy-eight, the 22nd of September 1604. In whose remembrance Sir Edward Stafford her son hath caused this memorial of her to be, in the same form and place as she herself long since required him."

his illustrious ancestry, Stafford was (for all his politic marriage) a man of spirit as well as of eminent ability. It was probably to his marriage, and to his wife's friend, the Favourite, that he was indebted for his first appointment as ambassador at the court of France in 1578; but when he was a second time appointed to the same high post in 1584, the manner in which he had already discharged its duties had become his sufficient or his best recommendation. "If we may judge from the remains of their correspondence," observes Lord Hardwicke, "Throckmorton and Stafford were the ablest ambassadors whom Queen Elizabeth employed in France during her long reign. The former was a deeper politician, and the more designing man; the latter had more of the courtier and the gentleman, and was particularly qualified for that court, by having served in the army, and having formed a general acquaintance in France, of both parties. Though he writes incorrectly, it is always with good sense, and thorough knowledge of the world." * With however free and easy a morality, there is nothing dark or malignant about Stafford. His courage and frankness are as remarkable on all occasions as his sharp-sightedness. He was made for a diplomatist only by his quick-witted dexterity in parrying the designs of others. His faculty in this way is most engagingly as well as amusingly combined with a straightforwardness in his own conduct which sometimes almost verges upon simplicity.

Stafford took his wife, Lady Sheffield, with him to

* *State Papers*, I. 196.

Paris. Her Lord Hardwicke describes as "an extraordinary character," and as, "by her accomplishments, equally fitted for the French court" with her husband. He states, but without quoting his authority, that Sir Edward was at first imprisoned for his marriage with her; "but she appears," he adds, "to have made him, if not a very good wife, a very agreeable companion." It is evident, indeed, from Stafford's dispatches, that they got on together in great harmony. If she and he might have had their own way, she would have been almost as much ambassador as himself. Having perfect confidence in her, and probably feeling that her talent for aggressive intrigue was greater than his own, he would have made over to her an important department of his official duty. Writing to the Queen in December 1583, he informs her Majesty that on the preceding day an individual apparelled like a Jesuit had come to him late at night, and, among other things, had warned him that his wife was thought to be a Catholic in mind, though she made no show of it, and advised him, therefore, to take heed what dealings she was acquainted withal. "I thanked him greatly for it," says Sir Edward, "told him it was a thing that I had always feared, and therefore desired him to have a special eye to it, that I might be advertised of it, and that, if I did once know it, I would keep her short enough; which course I held with him . . . . to have it given abroad that she is so, which I have gone about ever since I came hither to blow abroad, to make those women that be privatest about the Queen Mother, of the best sort, that come to see her, to speak franklier to

her." * The Jesuit, or pretended Jesuit, turned out to be an emissary of the Duke of Guise. "I beseech your Majesty," Stafford adds, "that this matter of my wife may not pass yourself; for, if it be given out any way at all, the play is marred, and your Majesty's service that way lost." It is pleasant to find that her ladyship did not allow any recollections of the past to weigh too heavily upon her spirits, but found something else to amuse herself with after the breaking up of her little love romance. Elizabeth, however, had not forgotten other days, and did not at all relish this activity of her fair and clever but not very discreet cousin in her new sphere. Walsingham, by her Majesty's direction, immediately writes to Stafford, charging him to carry a very watchful eye over the Lord Paget and Charles Arundel, who had lately stolen over to France without licence; and "her Majesty," adds Walsingham, "hath willed me to signify to you, that she is assured that the alliance my Lady your wife hath with them shall not make you to be more remiss to perform your duty towards *her*, with that trust that she doth specially repose in you." † In communicating this check that he had received to Burghley, Stafford affects to treat it as a piece of malignity on the part of Walsingham, and perhaps that was really the first view that he took of it. But on reflection he came to perceive that it was a plain intimation of her Majesty's own desire that the employment of his wife as a political auxiliary should be put an end to. So he writes to Elizabeth;—"For your

* *Hardwicke*, I. 202. † *Id.*, I. 212.

Majesty's pleasure I received by Mr. Secretary about my Lady, as in all things else, so must and will I fulfil your Majesty's will. I pray God, either for five hundred marks of mine own or as much of your purse, I have as good intelligence as I think that way would have gotten. For this your Majesty may assure yourself of, that there are four women in the court, Madame Villeroy, Retz, Princess of Condé, and Nevers, that have all the news and most secretest devices of the court; for there is never a one of them, or at the least amongst these four one of them, that hath not either a lover, an honourer, or a private friend, of the secretest council in the court, that will almost hide nothing from them. With these she having conference, as they all desire her company, among women (except Princesses of your quality) few things but are ripped up; and, the more bending they feel in religion, the more they use frankness, hoping to make them full coming. I am sure of one thing, she could have done no harm; and it had been a great hazard if by that means I had not done a great deal of good for your service. But, as I have my mind, while I am here, to seek no ways but to serve you, so, seeing you like not of my way, I will seek no way but that which may best like you."* Lady Sheffield had no doubt been brought up in the old religion, which was that of her family. Her brother, the second Lord Howard of Effingham (afterwards created Earl of Nottingham), who succeeded his father in the office of Lord High Admiral, and in that capacity commanded the fleet that opposed the Spanish Armada, lived and died a Catholic.

* *Hardwicke*, I. 216.

In further illustration of Stafford one of his unpublished letters may be transcribed, which will be read with the more interest from his peculiar relations with the person to whom it is written. It is addressed on the back "To the most Honourable and my singular good Lord the Earl of Leicester, Lord Steward, at the Court;" and runs as follows:—"My very good Lord, He that brought me the last packet did assure me of your lordship's safe arrival into England; whereof I was as glad as any body that can be the most affected to your lordship. I was as sorry to hear that your lordship was among a troublesome company of people in the Low Countries, who neither have the good nature to accept good offered them by other men's means, nor courage to do good to themselves. I was bold to write unto your lordship thrice while you were in the Low Countries, and offered your lordship any service I could do you; twice by M. de la Prée's means, once by the Middleburg post. I did take that I had not the favour to receive any commandment from your lordship to your lordship's great business; but when I saw of late M. de la Prée had letters from your lordship, and that I had not so much favour to have any, I was in a maze whether it were not my accustomed evil fortune to have somebody to do me some bad office with your lordship, that had been the cause of it. My conscience, accusing not me to have given any, assureth me that your lordship will not take a cause; but my hard hap, which in that point hath often followed me, maketh [me] so much to stand in doubt that it will follow me still, that I am bold to write to your lordship, to desire

you that you will not suffer it, and to desire your lordship to command me what it shall please you that I may do you any service in, and you shall find me certainly most ready.—Our hard news your lordship hath heard ere now. To wish to you any hope of better I cannot; and therefore in truth it grieveth me to write anything, and therefore for this time I will, in leaving your lordship to Mr. Secretary's letters, only make this serve for the purpose I writ it for, to assure your lordship of any service I can do you, and to beseech you to continue me in your favour. And so, committing your lordship to the keeping of God, Paris, this 26th December 1586, your lordship's most humble at your command, E. STAFFORD." * Leicester had come back from his first expedition to the Netherlands about a month before this. The tone of the letter sounds strangely subservient to a modern ear; and it is undoubtedly that of a dependant to his patron, whose breath he feels has made and may any moment unmake him. But such dependance did not carry with it any notion of meanness in those days. It was universally believed to be an essential part of the constitution of society. Nor is it, probably, from any feeling of delicacy that Stafford in this letter to Leicester does not speak of his wife—or *their* wife—as frankly as we have found him doing in writing to the Queen.

Lady Sheffield, whatever she might afterwards pretend, had no doubt by this time sufficiently made up matters with the Earl, and accorded him a full acquit-

* *Cotton. MS. Titus B.* VII. 40.

tance for his broken vows, her lost hair and nails, and all her other injuries. It would appear that when she consented to marry Stafford, she had also resigned the boy she had borne to Leicester into the hands of his father. He and his history and adventures will now claim our attention.

The author of *Leicester's Commonwealth* speaks of him as having been brought up at Newington,* meaning, apparently, Newington Butts in Surrey; but he would seem to have been eventually sent to school at the village of Offington, near Worthing, in Sussex,—perhaps that he might be under the eye of his uncle the Earl of Warwick, who had a seat close to the town of Worthing, still standing and bearing the name of Warwick House. According to one of the Star Chamber depositions quoted, or referred to, by Dugdale, Leicester once came to Offington to see him, "when he was but ten years of age," which would be about the year 1584, and on that occasion said to Owen Jones, the person who attended upon the boy, "Owen, thou knowest that Robin my boy is my lawful son; and, as I do and have charged thee to keep it secret, so I charge thee not to forget it; and therefore see thou be careful of him."† The reader, however, will judge of the likelihood of Leicester having made uncalled for such a declaration as this after his marriage with the Countess of Essex. If he did, Jones ought to have had a great deal more to tell.

What brought the son of Lady Sheffield out of the shade, there can be little doubt, was the death of his

* *Secret Memoirs*, 38. † *Warwickshire*, I. 250.

legitimate brother, the young Lord Denbigh, which happened in July 1584.* The Earl probably from this moment began to turn his thoughts to the design, which he ultimately carried into effect, of making his "base son" his heir. Whatever had been intended to be done with him before, it would of course be determined, so soon as this arrangement was fully resolved upon, that he should be educated in a style corresponding with his great expectations; accordingly in the beginning of the year 1588, a few months after his father had made his will, he was sent to the University of Oxford, and placed, as a member of Christ's Church, under the tuition of the learned Thomas Chaloner (afterwards Sir Thomas and tutor to Prince Henry). Anthony Wood (who assigns his birth to the year 1574) even affirms that he was matriculated under the designation of the son of an Earl (*Comitis Filius*). How long he remained at the University the academic historian had not ascertained.† He probably spent some years more at his studies there or elsewhere. The death of his uncle the Earl of Warwick followed that of his father within six months, and Dugdale speaks as if immediately upon thus coming into the possession of Kenilworth he took up his residence in that magnificent pile, or, as it is expressed, made it his seat;‡ but he would be then, in fact, only a boy of fourteen or fifteen.

He was not slow, however, in assuming the man. Nature had given him great activity of mind and quickness of faculty; he was to an unusual extent his

* See *Vol.* I. *p.* 112.

† *Athen. Oxon.* III. 259. ‡ *Warwickshire*, I. 250.

own master, and free from all the ordinary restraints and entanglements; all the peculiar circumstances of his birth and position impelled an ardent, projecting, and ambitious spirit like his to seek distinction, and to seek it out of the common path. Perhaps it may have been his uncle Warwick who first turned his young imagination to the field of maritime adventure and discovery; that nobleman had been among the earliest patrons of the famous Frobisher, and no doubt had often told his listening nephew the story of the black stones which the great navigator brought home from his first expedition in search of the north-west passage, and which had afterwards thrown the nation into such a ferment, when one of them, having been accidentally cast on the fire, had blazed forth, not with the flame of a common coal, but with the glitter of gold. If he had not himself when he grew up actually made acquaintance with Frobisher's successors, Drake and Cavendish, he had at any rate followed them in fancy, as each, in his bark "built under a lucky planet," repeated the grand exploit of the daring Portuguese who first girded the globe, and had, we may be sure, greedily drunk in whatever tales he could come at of their excursions along the seemingly endless coasts of that wonderful New World,—new, as yet, in reality as well as in name, and spread out there beyond the great bounding ocean as if it were literally another earth. Three centuries and a half, during which it has lain open to European curiosity, and the Old World has been pouring in upon it an incessant stream of eager explorers, have not exhausted the

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marvels of America; it is still startling us ever and anon with some new surprise, so that even yet men scarcely disbelieve in its El Dorados and Manoas, and whatever else of rich or strange has been rumoured to lie withdrawn within its profound recesses. In Dudley's age all these fables were part of the universal faith. It was in the year 1595 that the wise and experienced Raleigh set out on his voyage to Guiana, fully assured of discovering the city and land of gold, where the meanest kitchen utensils were formed of the precious metal, and heaps of it might be seen piled up as billets of firewood are among us.

Raleigh was Dudley's senior by more than twenty years; but they were probably well acquainted. The heir of Leicester was doubtless no stranger at Court; but, whether they met there or elsewhere, the brilliant captain and the wealthy and admiring young man would naturally attract one another. It would almost seem as if the first enterprise in which Dudley engaged, had been undertaken in concert with Raleigh, or at least in connexion with the Guiana expedition of the latter. The third volume, published in the year 1600, of "The Principal Navigations, Voyages, Traffics, and Discoveries of the English Nation," the venerable compilation of excellent *Richard Hakluyt, Preacher,* contains an account of "A Voyage of the Honourable Gentleman, Mr. Robert Dudley, now Knight, to the Isle of Trinidad and the Coast of Paria," contributed by Dudley himself at Hakluyt's request. "Having ever," he commences his narrative, "since I could conceive of anything, been delighted with the discoveries

of navigation, I fostered in myself that disposition till I was of more years and better ability to undertake such a matter. To this purpose I called to me the advice of sufficient seamen, and principally undertook a voyage for the South Seas; but, by reason that many before had miscarried in the like enterprise, I could not be suffered to hazard more of her Majesty's subjects upon so uncertain a ground as my desire; which made me by constraint (great charges already by me defrayed) to prepare another course for the West Indies." But upon that, he says, he had set out "without hope there to do anything worth note;" such a voyage was become so common, indeed, as not to be worth the registering. It was only Hakluyt's importunity that had prevailed with him to send his journal to fill any vacant space that might be left by more important discourses. In making provision for the enterprise, he had had in view rather "some practice and experience than any wonders or profit."

The adventure was note-worthy for one thing, at least; the youth of the conductor. Dudley when he set out upon this enterprise would be scarcely one-and-twenty, if he was so old. They weighed anchor from Southampton Road on the 6th of November 1594; himself in the Bear of two hundred tons as Admiral, and Captain Monk (or *Munck* as he spells the name), in the Bear's Whelp as Vice-Admiral; two small pinnaces, the Frisking and the Earwig, accompanying them. Dudley had 140 men under his own command in the Bear. He was soon left to pursue his way alone, his Vice-Admiral before they had been many days out at sea

having made two prizes (Spaniards), with which it was thought best that he should return to England. Under Teneriffe Dudley also captured two caravels; having previously, however, lost one of his two pinnaces. On reaching the coast of South America, they waited some time for Sir Walter Raleigh; it seems to have been arranged that they should meet here; but Raleigh did not sail from Plymouth till after the beginning of February 1595, and did not reach the South American coast till six or eight weeks after the time when Dudley expected him. Upon his not making his appearance Dudley determined to return home. By this time he was, he says, worse manned by half than he went forth. In fact he had only fifty men left. With this small crew, however, he maintained a fight of two days with a great Spanish armada of 600 tons, and, though he did not suceeed in compelling her to strike, yet left her, at 300 leagues from land, in such a state as that it was apparently impossible for her to escape sinking. He afterwards heard that the ship, which was said to have been very rich, had actually gone down. Our adventurers, or the few of them that survived, regained their native country in the latter end of May 1595, landing at St. Ives in Cornwall. "In this voyage," says Dudley, "I and my fleet took, sunk, and burnt nine Spanish ships, which was loss to them, though I got nothing."*

Such is the substance of his own account, the brevity and dryness of which are perhaps to be attributed not so much to the writer's modesty, or aversion to

* *Hackluyt*, III., 574—577.

enlarge upon his own proceedings, as to his having come to feel that the adventure had been in reality an unwise as well as unfortunate one, and that the less that was said of it the better. If he got nothing by the mischief he did the Spaniards, the balance of loss upon the business must have been considerable. And the utter discomfiture that Raleigh's El Dorado project had met with would further indispose Dudley to go much into detail touching his own voyage if it had had any connexion with that disastrous attempt.

But the voyage has found another historian, against whom no complaint can be made on the score of reserve. The narrative of this writer, himself one of the adventurers, has never been printed: and it will be no more than justice to Dudley to show how he is spoken of in it. It is preserved among the Sloane Manuscripts in the British Museum.

The writer begins by informing us that it was the special command of the Queen which put a stop to Dudley's South Sea project; and that it was not without some difficulty that her Majesty was brought to consent even to the West Indian voyage. She would have had "this noble gentleman" to remain in quiet at home till he was of riper years, not doubting but that time and experience would work a most excellent perfection in one whom nature had so singularly endowed.

In that age some tincture of piety and enthusiasm mingled with every thing; not excepting the most questionable transactions in which men engaged. A few days before embarking at Southampton Dudley, we are told, issued orders to his men to hold themselves in

readiness one and all to accompany him to church on the following Sunday, being the last they were to spend on shore, "for the reverent receiving of the holy Communion, and after at his charge to dine with him all together, as members united and knit together in one body."

The historian sailed in Dudley's own ship, and had the best opportunity of seeing how the youthful Admiral—or General, as he usually styles him—acquitted himself in all respects. He particularly praises the care and ability with which the ship's reckoning was kept by Dudley. "Thus," he writes, "sailing through the main ocean, having wind and weather most prosperous and fair for some twenty days together, before we found the altering of the colour of the water, which then began to foreshow we were not far from some coast; falling most rightly out unto the computation and reckoning of our General, who from time to time foretold me, by the reckoning of his card when he had taken the height, under whatsoever meridian we then happened to be in, 'We shall,' saith he, 'if God prosper our proceedings, see land such a day by the prick of this my card.' And this was not done once nor twice, but still from the first cape after we were departed from our English coast, which was the North Cape of Spain, until we came to Trinidado, and when all those that had been masters, of the which some of them have been thought to be as good as any in England, being the masters' mates and their consorts, did fail in their reckoning, yet fell it out just with his reckoning; the which how difficult a thing it is rightly to censure of it let those who have been seamen all days of their life judge. For, if a man do but note how many things do

necessarily concur unto the true perfection of the art, we may justly judge it, not only the admirablest work in the world, but one of the wonders of the world. But, leaving this intricate art, as not able to set forth her perfection, let me return unto that honourable and excellent practice of the art, that I may with admiration admire in silence, to my unspeakable joy, at those his wonderful actions, which, hereafter, will prove to be the world's wonder; I mean our virtuous and careful, honourable and provident General." This is somewhat violent and vociferous panegyric; still the admiration has the air of being honest.

Great laudation is bestowed upon Dudley's resolution and prompt decision in all emergencies, and also upon the way in which he took his fair share, or more, of the toils and dangers of the enterprise. In one place we have "our General, unaccustomed, God he knows, to walk on foot," leading the march of a party of his men for "eight long miles, through the deep sands, and in a most extreme hot day." Another time, when Jobson, one of his captains, and, as it would seem, a relation, had failed to return long after the expected time from an adventure on which he had been dispatched with a boat's company, while every one else—including the master, Abraham Kendal, of whom they were wont to receive their chiefest light—gave them up for lost, bemoaning their mate and companion, "only the General," we are told, "retained good hope and assurance in his mind to see his kinsman, whom he much favoured for his long and faithful love, together with his company and boat, in safety returned to him again." Every day

on board the ship, the writer adds, they made sacrifice to God in great devotion, calling upon him in hearty prayer for the missing men. Captain Jobson and his companions re-appeared at last, as Dudley had all along felt confident they would do.

They encountered some dreadful weather, which our historian celebrates in a very boisterous style; one of his most curious and elaborate passages being a description of the meteoric fires called Castor and Pollux, about which he makes a most ambitious display of learning, both scientific and philological. But our last extract must be the following portion of his account of the two days' fight with the great Spanish ship:—"In all this conflict, and sundry skirmishes, none miscarried, or was pierced with the bullet, but only a man of Captain Jobson's, called Thomas Gillingham, who, standing not far from our General, received a dangerous shot through his left leg; which our General perceiving, caused him to be sent down to our surgeon, and did afterwards most honourably comfort him with his promise of an almsman's room in his Hospital of Warwick,* for that he received that hurt in his service. I will here be bold to set down a good conceit of our Captain, having observed the fine spirit, painful endeavours, and valiant courage of our General's page, Mr. William Bradshaw, whom Captain Jobson ever called his son. The youth, in these skirmishes, by often charging and recharging his piece, brake the same about his ears. The Captain suddenly stept down

* The Hospital founded by Leicester, and still subsisting. See *Vol. I.*, *pp.* 118, 119.

from the poop, brought him by the arm unto our General with his broken piece, and roundly recites those verses of old Hieronymo in *The Spanish Tragedy*, in this sort:—

> 'This is my son, my gracious General;
> Of whom though from his tender infancy
> My loving thoughts did never hope but well,
> He never pleased his father's eyes till now,
> Nor filled my heart with over-cloying joy.
> Long may he live to serve my General,
> And soon decay unless he still do serve my General.'*

The noble gentleman honourably acknowledged the most praiseworthy forwardness of his towardly page, having been an eye-witness thereof himself, and thanked his kinsman for that fine conceit and fit application, and gave unto his page a delicate furniture of his own for his better encouragement in well-doing and valiancy."† It cannot often have happened that a scene from the acted drama has been thus got up in the midst of an actual fight at sea.

All this sets Dudley before us, at his *début* on the scene of active life, in a very prepossessing light. The representation may be a little one-sided, but yet it must in the main give us something of a likeness of what he was, or appeared to be, at this date.

This voyage to the West Indies, however, was his last as well as first adventure of the kind. He contented himself after this with performing the work of

* The last two lines are not in the common edition of the play, at least at this place. They were probably an extemporaneous annexation by the excited Captain. The quotation affords a remarkable evidence of the popularity of Kyd's tempestuous tragedy, or of the poetical turn of the sea-captains of that age.

† *Sloane MS.*, 358.

maritime enterprise by deputy, and venturing his purse without his person. Hakluyt, in a marginal annotation on the passage, in the account of the West Indian voyage, recording the taking of the two caravels, tells us that Mr. Benjamin Wood, to whom Dudley gave the command of one of these prizes, "was in the end of the year 1596 sent forth with two ships and certain pinnaces upon a voyage for the South Seas," at the charge of his former patron.* An account of this attempt is given by Purchas, who, however, makes Dudley to have only borne the principal share of the cost. Wood went partly in a public capacity, being commissioned by Queen Elizabeth as a sort of ambassador to the Emperor of China. But it was not destined that the Brother of the Sun and Moon should yet be made aware of the existence of the English nation, and it was fortunate for Dudley that he remained at home; for the voyagers hardly made their way across the Atlantic; after a long struggle with tempestuous weather, they were at last, when they had been reduced, by casualties, famine, and the ravages of disease, to four miserable survivors, driven upon the coast of South America, where of course their ships were at once seized by the authorities, and themselves made prisoners.†

According to Camden, however, Dudley would appear to have in the summer of this year accompanied Essex on his expedition to Cadiz. The Historian mentions him in his list of the sixty gentlemen who, he says, served in the expedition and were knighted for their valour, Essex himself being the first.‡ On the autho-

* *Navigations*, III. 575. † *Pilgrims*, I. 110—113. ‡ *Elizabeth*, 593.

rity of this passage the *Biographia Britannica* makes Dudley to have received the honour of knighthood from Essex.* His name, however, does not occur in the authentic enumeration of the sixty-four knights made after the capture of Cadiz by Essex and Lord Thomas Howard.† Neither is it to be found in that of the persons holding military command in the expedition.‡ But it may be inferred, from the manner in which Hakluyt designates him, that Dudley was knighted between his return from the West Indies and the year 1600, when Hakluyt's volume was published.

Within this space, also, we probably ought to place at least the first of his marriages—for his matrimonial history is, as will be seen presently, like that of his father, of some extent and variety. His first wife was a sister of Thomas Cavendish, the famous navigator. Cavendish, who was of the same family that afterwards produced the Dukes of Devonshire and the Dukes of Newcastle of that name, perished at sea in 1591 or 1592; and Dudley and he may never have known one another; but perhaps the renown of her deceased brother may have had something to do in bringing about Dudley's acquaintance with the lady. The navigator had three sisters;—Mary, Margaret, and Anne, says one account;§ Mary, Beatrix, and Margaret, says another.¶ Which of them it was that became Mrs. Dudley, or Lady Dudley, we are not told. Nor does any more seem to be recorded about her than the single circumstance of her marriage. But she must have very

* *Kippis*, V. 470. † *Birch*, II. 49, 50. ‡ *Ibid.* 15, 16.
§ *Collins, Noble Families*, 3. ¶ *Collins, Peerage* (1778), I. 278.

soon died; for before the end of the reign of Elizabeth, probably indeed some years before that, Dudley had married a second wife, Alice, daughter of Sir Thomas Leigh of Stoneley.

Dugdale speaks of his second marriage as having taken place soon after the death of Queen Elizabeth,* or about the beginning of the reign of James; † but the sequel even of his own account would make it to have been before the accession of that King. He goes on to relate, as of subsequent occurrence, the proceedings that Dudley now commenced with a view to the establishment of his legitimacy, in the course of which it was that the depositions were taken touching the marriage of his father and mother to which reference has already been made. The account, both in the *Warwickshire* and in the *Baronage*, is, that, on his first moving in the matter, he "did, by reason of the great plague at that time in London, obtain a Commission from the Archbishop of Canterbury out of his Court of Audience, directed to Dr. Zachary Babington, then Chancellor of Lichfield, and others, for examining witnesses to prove his said father's marriage;" and that thereupon, on the 10th of February 1603 (according to the *Warwickshire*), Lettice Countess of Leicester got Coke, the Attorney-General, to exhibit a bill in the Star Chamber against Sir Robert Dudley and Dame Alice his wife, the Lady Douglas Sheffield (now the wife of Sir Edward Stafford), Sir Thomas Leigh, Dr. Zachary Babington, and others, "charging them with no less than combination and conspiracy

* *Baronage*, II. 222. † *Warwickshire*, I. 250.

to defame the said Lady Lettice," as also to procure for Dudley an unjust title to honours which did not belong to him. That by February 1603 Dugdale cannot here mean what we now call February 1604 appears from what immediately follows. Upon the petition of the Lord Sidney, we are told, the Countess on the 18th of October 1603, procured a command from the Lords of the Council not only to stop the said proceedings at Lichfield, but to bring all the depositions there taken into the Court of Star Chamber, there to remain in the Council Chest. "Nevertheless," it is added, "did they vouchsafe liberty to the said Sir Robert to examine witnesses in that honourable Court in order to the making good of his legitimacy;" and then we have the substance of the evidence taken in the Star Chamber in conformity with this permission, which has been already placed before the reader. In the end, there was not only a stop put to all further proceedings in the cause, but a special order was signed by the Court, "that the depositions should be sealed up, and no copies taken of them without the King's special licence."

If Dugdale be correct in all this, at the time when Lady Sheffield thus set about attempting, in concert with her son, to prove that she had been married to Leicester, her other husband, or reputed husband, was still living. His death did not take place till February 1605. "Sir Edward Stafford," Chamberlain writes to Winwood on the 26th of that month, "died the last week, almost suddenly, leaving his office of First Fruits to Sir William Harvey, and that of the Pipe to Sir

Francis Wolley, that had the reversion."* One would scarcely have expected to find her Ladyship reviving her claims upon Leicester until she had got Stafford out of the way. Are we to suppose that Stafford concurred in the proceeding?

It might almost be suspected that the movement on the part of Dudley and his mother, which Dugdale assigns to the year 1603, was not actually made till the year 1605, and was made then in consequence of the chief obstacle to the re-agitation of the subject of Lady Sheffield's alleged marriage to Leicester having been removed by the death of Stafford. What is certain, at any rate, and what could not be collected from the way in which Dugdale tells the story, is that the cause between Dudley and the Countess of Leicester was not decided till near the middle of the year 1605. Rowland White, writing to the Earl of Shrewsbury on the 26th of April, states that it was to be heard in the Star Chamber on the Wednesday following;† and on the 13th of May he writes as follows to the same correspondent:—"The great cause in the Star Chamber between my Lady Leicester and Sir Robert Dudley was ended and censured upon Friday last. The matter of marriage was not handled at all, only the practice was proved in the proceedings. The depositions to be suppressed and cancelled; the witnesses suspected and disgraced; the bill and answer to be sealed with

* *Winwood*, II. 49. Sir Edward, besides holding the offices mentioned in the text, was also in parliament at the time of his death. See letter from Sir Edward Hoby (not Sir Edward Hobart, as printed) in Mr. Brewer's edition of *Bishop Goodman's Memoirs*, Vol. II. *pp.* 106—118.

† *Lodge*, III. 1[illegible]

the seal of that Court, and so put by till the Court call for them."*

What White here calls "the practice" is explained by the abstract of the sentence of the Court, as given by Dugdale in his *Baronage*. It imputes the contrivance and suggesting of the plot to one of the defendants named Drury, "a man of mean condition and desperate fortune." He, it is asserted, with the view of insinuating himself into the favour of Sir Robert Dudley, "and to work his own private gain," informed Dudley that he was the lawful son of the late Earl of Leicester, and as such heir to the honours, as well as the lands, both of that nobleman and of his brother the Earl of Warwick. One Magdalen Salisbury, he said, had been present at the marriage of his father and mother, and was ready to prove it by her oath. At first Dudley, looking to the man's condition and character, was disinclined to give credit to the story; but afterwards Drury, "by large promises," got the woman Salisbury to give him a note under her hand confirming his statement; this he carried to Sir Robert, who then directed him and Sir William Leighton, another of the defendants, to make further inquiries. On this, Ward, Dudley's Proctor, irregularly had Salisbury's evidence taken and recorded in the Court of Audience, in the presence only of the counsel for the claim, Dr. Creake, without notice having been given to any of the parties interested in opposing it. The same day, Ward and Leighton procured the awarding of a commission to take the evidence of such other witnesses as they

* *Lodge*, III. 160.

could procure; and then, going together into Yorkshire, there found the defendant Frodsham, who Salisbury pretended had as well as herself been present at the marriage. Returning with him and Salisbury to Warwickshire, they took them first to the house of one Clarke, a tenant of the defendant Sir Thomas Leigh, who was Dudley's father-in-law, and afterwards carried them about from one to another of Leigh's other tenants, suffering no well-wisher to the Countess of Leicester to have access to them; then, after having prepared them with gifts and rewards, they got them, before they were examined upon oath, to set down what testimony they intended to give, and to put their names to it. After all this, the statement proceeds, "Sir William Leighton procured one of the Commissioners alone to execute the commission privately; and Ward came down from London, and brought a Notary Public to speed the commission. And then Sir William Leighton, to effect the plot and practice intended by the prepared witnesses to prove the marriage and legitimation, resolved to have a suit forthwith commenced in the Court at Lichfield in the name of Sir Robert Dudley; and raised John Bushel to be the adversary, charging him that he had called Sir Robert bastard about three years before." Another of the defendants, Gosse, played the part of complainant or prosecutor. "It was never meant by the suit to punish Bushel, but only to prove the marriage and legitimation. Bushel appeared, and made such answer as best suited their purpose. Thirty-six articles were exhibited; thirty whereof tended to prove the

marriage and legitimation, and some of the rest the defamation. And Dr. Babington, then sitting in judgment in the Court, and knowing the matter to be there prosecuted unduly against a raised adversary upon colour of defamation, admitted a very unlawful prosecution of the libel, and ordered the defendant to make present answer; and then Frodsham, Salisbury, and Jones were again examined as witnesses, and after their examinations carried back to Clarke's, Gosse's, and Leigh's houses, and had diet and apparel given them by direction of Sir Robert Dudley and Sir William Leighton."*

A subsequent proceeding is mentioned by another town correspondent of the Earl of Shrewsbury in a letter dated the 23rd of June:—"In the Star Chamber their Lordships were lately moved to alter the order made

* *Baronage*, II. 223. The summary of the sentence of the Court upon the several defendants as here given by Dugdale is as follows:—"For these offences and undue proceedings, which tended to call in question the Lord of Leicester and his then Lady's marriage, and her jointure, and the estates of many of the King's subjects, they were all committed; Sir William Leighton fined 300*l*, Babington 100 marks, Gosse 40*l*., Salisbury and Frodsham 100*l*. a-piece, and Jones 40*l*. All the examinations and depositions taken in the Court of Audience, by the Commissioners, and at Lichfield, suppressed and damned. The examinations and depositions in the Court that concern the marriage between the Earl of Leicester and the Lady Douglas Sheffield to be sealed up by the Clerk of the Court, and never to be seen or published. Jones, Salisbury, and Frodsham to be ever after held suspected in their testimonies touching the marriage and legitimation of Sir Robert Dudley. And the rest were acquitted." Dugdale quotes or abstracts all this from the minutes in the Registry of the Star Chamber, *tol.* 107. He refers to the case by the title of the King's Attorney *versus* Sir Robert Dudley, Knt., Sir Thomas Leigh, Knt., and others; and dates the sentence as having been pronounced in Easter Term of the 3rd *Jacobi* (that is A.D. 1605).

against Sir Robert Dudley, especially in two points; the one, that, where his witnesses were censured as suspected, now they should be set down only as *subject to suspicion;* the other, that, where the Earl of Leicester's lands were said to be reverted to the crown, it should be only *supposed to be reverted.* These things, because they seemed much to prejudicate the legitimation, were far pressed; but the order was entered as it was first set down, upon the speeches especially of the Earl of Salisbury, the Lord Treasurer, and Chief Justice, the Earl of Northumberland holding hardly for the contrary."*

It would seem from these notices that the question of Dudley's legitimacy was not even yet formally decided. That was still left open for future investigation, if he chose to bring it forward. His chance of success, however, if he had done so would probably not have been great, after the damaging effect upon the testimony of his witnesses of the sentence pronounced in the process raised by the Countess. By the course that he actually took he threw away all chance, and gave up the game.

In his *Warwickshire* all that Dugdale says is, that he now obtained leave to travel for three years, and proceeded to Italy.† In the *Baronage,* however, the learned antiquary is more communicative. He there informs us that "upon the departure of Sir Robert Dudley out of England, he took with him, as is credibly reported,———the daughter of Sir Robert Southwell, of Woodrising, in Com. Norf., Knight, a very beautiful

* *Lodge,* III. 163. † *Warwickshire,* I. 251.

lady, in the habit of a page."* In fact, he left London secretly for the continent with this lady in the end of June or beginning of July.†

Elizabeth Southwell was the eldest of three sisters, the second of whom married Sir Grevil Verney of Warwickshire, the third, Sir Edward Rodney of Somersetshire, probably some near relation of the poetical Sir George Rodney who slew himself for the love of the fair widow of Pranel the Vintner, afterwards Countess of Hertford and Duchess of Richmond.‡ Their father, Sir Robert Southwell, was one of the naval commanders who most distinguished themselves in the great year of the Armada. Their mother was the eldest daughter of Charles second Lord Howard of Effingham, the Lord High Admiral, and the sister of Lady Kildare, who married Lord Cobham,§ as well as the niece of Lady Sheffield, Dudley's mother. Dudley and Elizabeth Southwell, therefore, were first cousins once removed.‖

In the form in which the fact has come down to us, naked of all antecedents and of all explanation, the procedure of Dudley and his fair cousin has the look of a marvellously precipitate plunge. He is said to have

* *Baronage*, II. 225.

† See notice of a news-letter in the Talbot Collection from Viscount Lisle to the Earl of Shrewsbury, dated 2nd July, in *Lodge*, III. 99.

‡ See *Vol.* II. *p.* 391. § See *Vol.* II. *pp.*178. *et seq.*

‖ The style in which Dudley's departure is recorded by the grave writer of his article in the *Biographia Britannica* is indulgent:—"When Sir Robert Dudley had once settled his resolution of quitting England, he resolved to make the place of his retreat as agreeable to him as it was possible, and therefore prevailed upon a young lady, at that time esteemed one of the finest women in England, and of a family distinguished for their beauty, to bear him company in the habit of his page."—*Kippis*, V. 471.

justified his desertion of the Dame Alice on the allegation that she had been seduced by him in the life-time of his first wife, and that therefore by the canon law their subsequent marriage was void.* If he really sought shelter under such a plea as this, it was the most disgraceful part of the whole affair.

Yet he must, apparently, have propounded something of the kind; for it seems to have been understood from the first that he intended to marry Miss Southwell, and after he got to Italy he obtained a dispensation from the Pope and actually did so. The wife whom he left behind him in England had borne him five daughters; so that they had probably been married some five or six years. All these young children were alive; and their mother when thus deserted was only in her twenty-fifth year.

The step that Dudley had taken was at once universally regarded as ruinous to all his prospects in England. "I am sorry," writes Sir Francis Leake to Lord Shrewsbury a few days after he had gone off, "for Sir Robert Dudley's great overthrow, because I was much bound in duty to his father; and, if he do marry Mrs. Southwell, it is felony by these last statutes." † He escaped the new bigamy law by keeping out of the kingdom; but there were too many powerful persons interested in his spoliation for anything that he had left behind him to be safe on which a rapacious hand could be laid. He had not been long absent when his adversaries, as Dugdale calls them, procured the issue of a royal summons commanding his immediate return

* *Dugdale Baronage*, II. 225. † *Lodge*, III. 167.

under a special privy seal; upon his non-compliance with which his Castle of Kenilworth and all his lands were seized to the King's use.* Some time after a commission was appointed to inquire into the value of the Kenilworth estate, which estimated it to be, at an under-valuation, worth between thirty-eight and thirty-nine thousand pounds. "The circuit of the Castle, manors, parks, and chaces, lying round together," said their Report, "contain at least nineteen or twenty miles, in a pleasant country, the like, both for strength, state, and pleasure, not being within the realm of England." All this extent of land they set down at only about 16,400*l.*; the remainder of the sum total was made up of 10,400*l.* for the Castle, and about 11,700*l.* for the woods, which were admitted, however, to be worth 20,000*l.* If the under-valuation was at the same rate throughout, the real worth of the property must have been nearly 80,000*l.*, even at the then price of land; and this might represent perhaps ten times as large a nominal amount of our present money. The object of the survey was to have the property estimated at as little as possible. But even the 38,500*l.* or thereby was not admitted to

* "By virtue of the Statute of Fugitives," says Dugdale (*Warwickshire*, I. 251). "By a shameful misapplication of the Statute of Fugitives," says Lodge in one place (*Illustrations*, III. 150); "by virtue of Mary's Statute of Fugitives," in another (I. 378). No act of parliament respecting fugitives, or persons absenting themselves from the kingdom, was passed in the reign of Mary. But the crown had always possessed the power of recalling its subjects from a foreign country, and such is the law at this day. "Undoubtedly," says Blackstone, "if the King sends a writ to any man, when abroad, commanding his return, and .... the subject disobeys, it is a high contempt of the King's prerogative, for which the offender's lands shall be seized till he return: and then he is liable to fine and imprisonment." (1 *Com.* 266). See also 4 *Com.* 122.

belong all, or nearly all, to Dudley. There was to be deducted, in the first place, 10,000*l.* by way of fine to the crown for his contempt; then there was Lady Dudley's jointure, "which," said the Report of the Commissioners, "is without impeachment of waste, whereby she may fell all the woods;" finally, there was his Majesty's right to the profits of the lands during the lifetime of the owner, or till he should be pardoned. In this way any hold that Dudley retained of the property was reduced to something of very inconsiderable market value, and of very easy purchase. Prince Henry had taken a fancy to the place; and now a negotiation was opened with Dudley, which ended, in November 1611, in his signing deeds and levying fines settling the whole of his estates upon the Prince and his heirs in consideration of the sum of 14,500*l.*, to be paid by His Royal Highness within a year. But, the Prince dying before the year was quite out, no more of the money was ever paid, as Dugdale says he had heard, than 3000*l.*, and that to a merchant who soon after became bankrupt, so that none of it ever came to Dudley's hands. Prince Charles, nevertheless, kept the lands as heir to his brother, and even proceeded some years after to complete his right of property by obtaining an act of parliament in 1623 to enable Dudley's wife to alienate her jointure to him, as if she had been a *femme sole*, which she did by deed, according to Dugdale, for 4000*l.*, assigned her out of the Exchequer.*

* Dugdale (*Warwickshire*, I. 252) says that the Act was passed in the 19th year of King James, and that the deed was signed by the Lady Alice on the 4th of May in the same year (1621). But the Act was the 12th Private Act of the 21st of James.

In this way Kenilworth (sixty-three years after it had been granted to Leicester by Elizabeth,) became once more vested in the crown.

Thus did Leicester's son manage to divest himself of every shred of his splendid patrimony, throwing it from him, we may almost say, as if his broad lands had been beggar's rags or only an encumbrance. Dudley's zealous defender in the *Biographia Britannica* rebukes a previous writer for asserting that he left England because he could not be allowed to have two wives; in this there would have been more truth, he remarks, if Sir Robert had married Mrs. Southwell here in England, "as it is very certain he did not."* Certainly it does not seem to have been a plurality of wives that Dudley wanted; he would no doubt have preferred one to two, if he could only have been allowed to say which one. It was a case of "All for Love, or the World well Lost"—of Mark Antony, not of Captain Macheath with his "How happy could I be with either!" He and the fair partner of his flight and exile had, it must at least be allowed, given up every thing for one another. It would have been lamentable if after this they had not been each to the other all in all.

Bringing nothing with him by which he could repair his broken fortunes except his name and his talents, and with a new country and social position to acquire for himself after having passed his thirtieth year,

* *Kippis*, V. 471. This biographer has no commiseration to throw away upon Lady Dudley and her daughters, "for whom," he says, "sufficient provision was made."

Dudley proceeded at once to Florence, assuming his uncle's title of Earl of Warwick, and doubtless also his father's of Earl of Leicester, though he would be popularly known by the one of the two which was of earliest creation and to which as such the highest precedency was attached. It was an assertion of his legitimacy, which, if it had not been established, had not been absolutely disproved or set aside by any proceeding that had yet taken place in England. Presenting himself at Court, he soon succeeded in making a strong impression upon the Grand Duke, Ferdinand the First, by his many accomplishments and his ready and fertile inventive genius. It was under Ferdinand that Leghorn first rose to importance, and, according to our English writers, its rapid transformation from a place of no note to a great commercial city was principally the work of Dudley or the consequence of the measures he advised. "I have heard from some living who have visited those parts," says Anthony Wood, "that this our author Robert Dudley was the chief instrument that caused the said Duke not only to make it firm, but also to make it a *scala franca*, that is, a free port, and of settling an English factory there, and of drying the fens between that place and Pisa. At which time also our author called and invited to that place many English merchants that were his friends."* After the death of Ferdinand, in 1609, Dudley appears to have continued in undiminished favour throughout the reign of his son Cosmo the Second, which lasted till 1621. Meanwhile, not satisfied with his self-assumed English Earldom, or

* *Athen. Oxon.* III. 259.

two Earldoms, he had obtained from the Emperor Ferdinand the Second the title of a Duke for himself and his heirs to be used throughout the dominions of the Holy Roman Empire; the letters patent under the Golden Seal are stated to have been issued at Vienna on the 9th of March 1620. On this he called himself Duke of Northumberland, as if his foreign patent had reversed the attainder of his grandfather. It must have been upon the death of Cosmo the Second that he was made Great Chamberlain to the Grand Duchess Dowager, who was sister to the Emperor, and who acted as Regent of Tuscany during the minority of her son the Grand Duke Ferdinand the Second. "After this," continues Wood, "Pope Urban the Eighth in the beginning of his papacy, authorised by the Emperor's Golden Seal, declared that the Duke of Northumberland, and his eldest son and heirs in all times, could create titles of honour, as Earls, Marquises, &c.; the which he hath done in favour of many great families at Ancona, Verona, and Bulloign (Bologna) in Italy; and ordained besides that the title of Highness should be given to him and all his posterity." All this, it seems, is recorded in a publication of authority entitled *Il Ceremoniale di Roma* for the year 1630. He had a pension from the Grand Duke, Wood adds, amounting to nearly a thousand pounds of English money; and had built himself a handsome palace at Florence, in which he lived in much magnificence.

Dudley had not after all, then, lost much by his flight from England and the careless way in which he threw away or allowed himself to be stript of his

possessions there. It sometimes appears as if Fortune loved to be treated with a generous confidence, and was most lavish of her bounty where it was the most freely scattered and the least anxiously sought. It is commonly said that what is lightly got is apt to be lightly spent; but there are cases in which the light spending seems to assist the light getting—as if money were like air, and, whether on the principle of nature's abhorrence of a vacuum, or for whatever more philosophical reason, rushed the fastest into the emptiest pocket, or where the exhaustive process was carried on the most energetically. To Dudley what he gained was probably much more than a compensation for what he sacrificed by so adventurously precipitating himself from his secure standing, and beginning life anew almost at middle age. With the sanguine temper, and confidence in himself, natural to men of his stamp, he would think little of the risk; and the event proved that there he was right. With the help of his family pretensions and name, his resources of accomplishment and ingenuity, his address, and his luck proved quite sufficient to re-establish him in a distinguished position, and to maintain him in it. His nominal income in Italy might not perhaps be so large as what he had enjoyed in England; but practically that would be of little consequence; in any circumstances such a person was pretty certain to find the means of living in any style he chose, and spending as much money, his own or other people's, as he wanted. The larger his actual revenue, the farther, very probably, would he have outrun it and got into debt, whether in Italy or in England. In losing his broad

lands, therefore, he lost nothing essential. On the other hand, he may have felt bitterly the imputation that rested on his birth, and higher feelings than those of vanity or pride may have been wounded and exasperated by the issue of his late attempt to establish his legitimacy; an indignant sense of injustice may have raised the impatience with which he had hitherto borne the stigma of bastardy to an indignation which no bonds would restrain. Or, it may have been merely that, after the late proceedings, he had lost all hope of getting that stigma removed by a legal decision, and therefore resolved to take the matter into his own hand. He must give up either his native country and his inherited estates or the assertion of his legitimacy: he chose to give up the former. Transferring himself beyond the dominion of the English crown, he assumed the title of Earl of Warwick in defiance of the English courts of law.

What it may have been that began the alienation between Dudley and the wife whom he left behind him in England, we have little or nothing to guide us in conjecturing. Possibly Dame Alice may have failed to sympathise very ardently with the great scheme of ambition in the pursuit of which, as it turned out, he was prepared to put to hazard or to throw away all that he possessed in the world; she may not have quite taken her husband's view even of his right to the *status* that he claimed. In his fair cousin he may have found a readier believer in the marriage of his father and mother, and a more eager zeal to vindicate the honour of her aunt. But, however it may have

commenced on either side, the guilty love that had sprung up between Dudley and Elizabeth Southwell probably soon grew to a hurricane of passion, which would leave to neither much power of resistance or reflection. And so it tore away both from all detainments, him from lands and revenues, from wife and children, as her from father and mother, brothers and sisters, and all else that she had ever known of either love or respect—plunging them together into an abyss, where yet each had in the companionship of the other what made up for the loss of all else. Nor did their attachment prove the less lasting for its first headlong violence. Dudley and Elizabeth Southwell, beginning together a new life in their new country, and forgetting their previous existence, or looking back upon it as an unreal dream or as something from which they were for ever separated, wanted for the remainder of their days neither honour from those around them, nor affection from each other. Lord Herbert of Cherbury saw them, as he tells us, at Florence, in the year 1614. His lordship speaks of Dudley as having already "the title of Earl or Duke of Northumberland, given him by the Emperor," and of the lady as "the handsome Mrs. *Sudel*, whom he carried with him out of England, and [who] was there taken for his wife;" but in expressing himself in this manner he both antedates Dudley's dukedom, and designates his wife by a name by which she was known only in England. In Italy, and throughout the continent, Mrs. Sudel, or Southwell, was now the Countess of Warwick, and at a later date the Duchess of Northumberland. "I was invited

by them to a great feast," continues Herbert, "the night before I went out of town. Taking my leave of them both, I prepared for my journey the next morning; when I was ready to depart, a messenger came to me, and told me if I would accept the same pension Sir Robert Dudley had, being two thousand ducats per annum, the Duke would entertain me for his service in the war against the Turks. This offer, whether procured by the means of Sir Robert Dudley, Mrs. Sudel, or Signor Loty, my ancient friend, I know not, being thankfully acknowledged as a great honour, was yet refused by me, my intention being to serve his Excellency [the Prince of Orange] in the Low Country war."* At a later date we have Dudley and his wife thus mentioned by another English traveller:—"At the City of Florence there liveth Sir Robert Dudley, who styleth himself Duke of Northumberland, who left England because he could not be suffered to enjoy a second wife, his first wife then surviving. This Dudley now enjoyeth his second wife by a dispensation from his Holiness, and is in great esteem with the Duke of Florence, in regard of his art in contriving and fabricating of ships and galleys; and hath obtained of the Emperor to be declared Duke of Northumberland, who hath given him the title already, and the land when he can catch it." † This is the splenetic language of a convert from popery, which religion Dudley had, of course, embraced. The Duchess of Northumberland died some years before her

* *Life* (edit. of 1824), 151. † *The English-Spanish Pilgrim. By James Wadsworth.* 4to. Lon. 1630, *p.* 67.

husband, and was interred within the Church of St. Pancras in Florence, where he caused a sumptuous marble monument to be erected over her grave, in the intention that, when his own funeral came to be celebrated, his remains should be deposited beside hers.

"This Robert Dudley, Duke of Northumberland," writes Anthony Wood, "was a complete gentleman in all suitable employments; an exact seaman, a good navigator, an excellent architect, mathematician, physician, chymist, and what not. He was a handsome personable man, tall of stature, red-haired, and of admirable comport; and, above all, noted for riding the great horse, for tilting, and for being the first of all that taught a dog to set in order to catch partridges."* But all this by no means rests solely upon the authority of the academic historian.

Dudley's medical reputation was long sustained by a powder of his invention, believed to be potent in curing all morbid affections of the human body arising from superabundance of humours, which was called in the Dispensaries *Pulvis Comitis Warvicensis* (The Earl of Warwick's Powder), but more commonly *Cornacchini Pulvis*, after an Italian physician, Marco Cornacchini, who had published an elaborate Latin treatise in commendation and explanation of its virtues. Cornacchini, who was Professor of Practical Medicine in the Gymnasium, or University, of Pisa, and whose work appeared at Florence in 1620, had received an account of his discovery from Dudley four years before. In the latter

* *Athen. Oxon.*, III. 260.

end of the spring of the preceding year Dudley himself, being attacked by a fever while on his way from Leghorn to Pisa, had quickly succeeded in putting it to flight by means of this powder alone. About the same time his "most illustrious spouse" was taken ill, and cured in the same way; and within nine months after, on the ides of January in the year in which he writes, the learned Professor adds, she was brought to bed of a boy. Cures equally easy and complete were effected upon Dudley's little daughter Mary and his son Philip. The knowledge of these various cases had convinced Cornacchini of the efficacy of the medicine; and he had himself been in the habit ever since of administering it with the like success. His book is dedicated to Dudley. "From you," exclaims the excited pharmacologist, "all men may learn that there is only one kind of true nobility, that namely which draws universal admiration by the glory of actual performances." And then, after complimenting his patron on the vessels of war, built, on a new principle of construction, by his consummate judgment and unwearied activity, which kept the pirates in awe, and were wont to assault, to take possession of, and to lay waste the coasts of the barbarians,—thus protecting not only the soil of Italy, but that of all Europe,—he ingeniously observes that, although many slaves were in this way restored to freedom, yet the utility of the ships was nothing to that of the powder, for by that every day the dying were restored to life. Anthony Wood says that Dudley was the author of a medical work entitled *Catholicon*, "in good esteem among physicians;" but Wood had never seen a copy of it.

Nor had the writers of the *Biographia Britannica* been more fortunate. In the *Biographia,* however, the curious reader will find the composition of Dudley's powder, which in the first edition, published in 1750, is stated to be then become common in extemporaneous prescriptions, especially for children, although it had not been at first received by the College. In 1793, in the second edition, Dr. Kippis presumes that it must be superseded in modern practice. The good Doctor, indeed, will not take upon him to affirm that this is the case from specific knowledge; he only much doubts whether the application of the remedy has been continued to his own day. Now, at any rate, the Earl of Warwick and his powder are probably quite forgotten by the profession.

However the fact may stand in regard to the medical book which Wood speaks of as having been written by Dudley, another much more remarkable work of his is still extant. This is his *Arcano del Mare,* a treatise, in six Books, or Parts, on Navigation, Geography, Naval Architecture, and Maritime Discipline both in peace and in war. Wood describes it as consisting of two volumes folio, of which the first appeared at Florence in 1630, the second in 1646.* It was kept, he says, "as a rarity in the archives of Bodley's Library" at the time when he wrote. It is now, as it was then, a very rare work in this country; although it was reprinted at Florence in 1661. Of this second edition, which pro-

* The accurate De Bure gives the date as "1647, *et variis annis.*" He says that the six Parts are bound sometimes in three, sometimes in five, sometimes in six volumes. *Bibliog. Instruct.*, V. 63, 64.

fesses to be corrected and augmented after the original manuscript preserved in the Library of the Convent Della Pace at Florence, there is a copy in the British Museum. It makes three very large square folios; the first filled with letter-press, the second and third formed of a collection of charts and plates of instruments. Some things might perhaps be found in this work of Dudley's still worthy of attention. The writers of the *Biographia Britannica* speak as if they had looked into it.. "It is chiefly valuable," they observe, "on the score of the projects that are contained therein for the improvement of navigation and the extending of commerce. The author hints at many things that were in those days totally unknown, and of which, notwithstanding, he appears to have judged very right." "There are also," it is added, "many things that have not as yet been executed, which might turn to the advantage of any maritime power that would be at the expense to prosecute his designs." It is admitted, however, that the explanations of many of the new projects "are delivered in a manner not very intelligible to vulgar understandings."

Another literary performance attributed to Dudley occasioned at one time no small commotion. The title, as Wood gives it, is, "A Discourse to correct the Exorbitances of Parliaments, and to enlarge the King's Revenue." It was written by Dudley, he says, about the year 1613, and transmitted by him to King James with the view of ingratiating himself with the English King. But nothing appears to have come of the paper till after the commencement of the next reign, when, in the year 1629, it was suddenly raised into notoriety by

an information being filed by the Attorney General in the Star-Chamber against certain individuals for dispersing copies of it. The accused individuals were no less distinguished persons than the Earls of Bedford, Somerset, and Clare, Sir Robert Cotton, the great antiquary and collector, and John Selden and Oliver St. John, the eminent parliamentary leaders of the popular party. They appear to have been charged with an attempt to make the government odious by pretending that there was a design to adopt the methods recommended in the paper, the true date of which, as well as the authorship, had been studiously concealed; but the circumstances are obscurely known, and it is matter of dispute whether its dispersion after all was the act of the popular party or of the Court. The prosecution was stopped by the King's order on its being discovered what the paper really was.* Walpole notices it as a remarkable incident connected with this affair that the Earl of Somerset should have been involved in it,— "that haughty and fallen favourite, generally supposed

* His imprisonment, however, with the deprivation of the use of his Library, is said to have killed Sir Robert Cotton: he died 6th May 1631. See further details as to this matter in the second edition of the *Biographia Britannica*, IV. 301, 302, from papers first published in the *Gentleman's Magazine* for 1767. It is to this prosecution that Clarendon alludes in his account of St. John near the beginning of his Third Book: "He had been questioned, committed, and brought into the Star-Chamber many years before, with other persons of great name and reputation, (which first brought his name upon the stage), for communicating some paper among themselves, which some men at that time had a mind to have extended to a design of sedition; but, it being quickly evident that the prosecution would not be attended with success, they were all shortly after discharged; but he never forgave the Court the first assault."

to have dragged out the remainder of his life in infamy and obscurity, but who here appears engaged in state intrigues with some of the greatest lords at that period." * There are, however, other evidences of Somerset's continued connexion with the Court to the end of his days. As for Dudley's tract,—which the *Biographia Britannica* describes as "being in all respects as singular and as dangerous a paper as ever fell from the pen of man," and from which it therefore declines giving any extracts—it was printed and published by the opponents of the Court in 1641, immediately after the execution of the Earl of Strafford, with a title attributing it to the pen of that nobleman; —"Strafford's Plot Discovered, and the Parliament vindicated in their justice executed upon him, by the late discovery of certain propositions delivered to his Majesty by the Earl of Strafford a little before his trial, with this inscription, *Propositions for the Bridling of Parliaments, and for the increasing of his Majesty's Revenue;*" and Rushworth has inserted it in his voluminous collection with the partially similar heading of "A Proposition for His Majesty's service, to Bridle the Impertinency of Parliaments."† Dudley's scheme for the establishment of a despotism in England, in addition to certain new modes of taxation and other ways of raising money, consists of the following five propositions,—1. To have a fortress in every considerable town; 2. To cause highways to be made through such towns; 3. To garrison each of these fortresses with soldiers who should not have been chosen from the

* *Royal and Noble Authors.* † *Vol. I. Append., pp.* 12—17.

inhabitants of the place; 4. To suffer no one to pass through such towns without a ticket or passport; 5. To compel the keepers of inns to take down the names of all persons lodging with them.

This paper of Dudley's is interesting with reference to the history of his life as showing that long after he had settled abroad he continued to keep his eye upon his native country. The date assigned to it would lead us to infer that its composition or transmission was connected with the negotiation for making over his right of property in Kenilworth to Prince Henry, or rather perhaps with some endeavours he may have made to procure payment of the purchase money due to him after the Prince's death. It also helps to illustrate his character. Horace Walpole, who thinks that Dudley was "probably the legitimate son of the great Earl of Leicester," observes, that, "considering how enterprising and dangerous a minister he might have made, and what variety of talents were called forth by his misfortunes," it would seem to have been fortunate both for himself and his country "that he was unjustly deprived of the honours to which his birth gave him pretensions."* He was certainly much more of an ingenious and a brilliant than a wise man; and, with his plausibility, his energy and daring, his inventive fertility, and the sanguine temper common to him with all projectors, he might in a situation of great power have done considerable mischief. He was more safely placed, for himself and others, as superintendent of ports

* *Royal and Noble Authors.*

and shipping (or whatever his office was called) to the Grand Duke of Tuscany than he would have been as first minister to any King of England. He lived, however, to see things here brought to a sufficiently sad pass without his assistance. Dudley survived both King James and his son King Charles; he did not die till some seven or eight months after the latter was brought to the block. Wood, writing from the information of his son, states that he died at Carbello, three miles from Florence, in a house which had been given to him by the Grand Duke for his lifetime, in September 1649. He must have attained the age of seventy-five or seventy-six.

A hundred years all but a few months, carrying forward the world's chronology from the middle of what we call the sixteenth to the same point in the seventeenth century, had rolled away since he, the husband or lover of so many women, whose son, the sole continuer of his line, was now laid in the tomb, stood at the altar with his first wife, poor Amy Robsart. Much of Leicester, of his fortunes as well as of what he was in himself, reappears in the history of his son; in each the same hydrogen gas nature, buoyant, irrepressible, explosive, but having little real heat, though capable of shedding the blandest illumination—the fire of water—results in the same meteoric fate of soaring and dazzling and little more. Both were alike men whom there was no keeping down; both alike were masters of a universal art of ingratiation or captivation, equally potent with prince and populace, and were thus singularly fitted to be at the same time favourites of the

one and idols of the other. The air of courts, however, was their natural element; their popularity was cultivated and valued only as a support and defence of their favouritism. Such at least was evidently the case with the father; and we may fairly presume that it was, or would have been in similar circumstances, equally so with the son. The parallelism in the general courses of their lives is very remarkable, though the one moved from first to last on a wider stage than the other. Both passed their earliest years in obscurity and depression; what the substitution of Edward the Sixth for Henry the Eighth on the throne was to the one, the death of his legitimate half-brother, opening to him his father's inheritance, was to the other. Then again, the situation in which the one was left by the accession of Mary to the crown may be said to have been repeated in the history of the other, with only a variation of the circumstances, when his flight from England suddenly laid his previous prosperity in ruins. Lastly, each after having been thus thrown down recovered his footing in the same way, namely, by princely favour, and speedily acquired a more splendid position than ever, which he retained to the end of his days. But the oddest mockery, as we may call it, of the history of the one by that of the other lies in their respective matrimonial entanglements and complications. Each had, strangely enough, one genuine and unquestionable wife, another generally looked upon as contraband, and a third of disputed legality. What Douglas Howard was to the father Elizabeth Southwell was to the son, at least in this respect, that the pretensions of neither were

recognised by the English courts of law; while Lettice Knollys and Alice Leigh stood in the same predicament of having each a rival claimant to her apparent or asserted husband. The stories, indeed, are not exact repetitions the one of the other in all particulars; yet they correspond sufficiently to indicate a strong similarity of character and ways of proceeding between the two heroes.

The line of Leicester was not extinguished by the death of his son. Sir Robert Dudley and Elizabeth Southwell, or the Duke and Duchess of Northumberland as they were styled, had a numerous family of sons and daughters. Four of the daughters grew up and married into Italian families of rank; and some of their descendants are very probably still extant in Tuscany. The son who inherited the title was named Charles; it was this Charles Duke of Northumberland who communicated to Anthony Wood many of the particulars he has preserved in a letter dated at Rome the 17th of October 1673. How much longer he lived does not appear. But he is stated to have married in France Mary Magdalen Gouffier, of the family of the Duke of Rohanet, and by her to have had many children. His eldest son Robert at the time when he wrote to Wood went by the name of the Earl of Warwick, as he himself likewise had done in his father's lifetime. And one of his daughters, who married the Marquis Palliotti of Bologna, was by him the mother of a son and daughter, who both found their way back to the native country of their great-grandfather in the beginning of the next

century, and figure diversely in the romance of our English family history of that period; the lady dying Duchess of Shrewsbury, her brother on the gallows at Tyburn.

Of Dudley's five daughters by his other wife, Alice Leigh, the two eldest, Alice and Douglas (their mother's and grandmother's namesakes) were never married. Frances became the wife of Sir Gilbert Kniveton, Anne of Sir Robert Holbourne, Solicitor-General to Charles the First, Katharine of Sir Richard Leveson, of Trentham, from whom the Duke of Sutherland inherits that magnificent Staffordshire seat, through his ancestor Sir William Leveson Gower, whose mother was a sister of Sir Richard. But none of these ladies had issue: and Lady Leveson, who was the last survivor of the five, died in 1673. She and her sister Anne, upon the death of their father, instituted a suit in Chancery, or rather revived such a suit which he had himself instituted before leaving England, and which had lain dormant ever since, for the recovery of Leicester's estates of Balshall and Itchington in Warwickshire, possession of which had been taken by the Sidneys as descended from Leicester's sister Mary Dudley, and claiming under an entail, which, however, the Earl had revoked in his last will. After long litigation the cause was decided in favour of the two ladies a little before the Restoration; and the rents of the estates were eventually devised by Lady Leveson to found an Almshouse at Balshall for poor widows, which still exists.

Dudley's deserted wife, the mother of these five

daughters, is celebrated as having been a lady of great parts as well as of distinguished piety. The writer of her husband's life in the *Biographia Britannica* describes her as having been "admired for her many admirable qualities, and very justly revered for that singular zeal which she expressed in doing good, a disposition which, by extraordinary care in their education, as well as by the force of her own excellent example, she so infused into her five daughters, that, if all their works of piety and bounty were collected together, and properly set forth, they would make a very considerable volume, independently of any panegyric they might be thought to deserve." It is to be supposed that it was not from any touch which she had of her husband's ambition or mounting spirit, but rather probably by way of vindicating her rights as his wife, and emphatically repelling any imputations which might have been made against the lawfulness of their union; that in her advanced age she adopted a proceeding which certainly, in the circumstances, must be regarded as somewhat extraordinary. In 1644, nearly forty years after her desertion, she made an application to Charles the First, to whom she was well known, that, in consideration of the rank her husband had attained abroad, she should be created an English Duchess; and his Majesty, then cooped up at Oxford, was accordingly pleased to grant her that dignity for life by letters patent under the Great Seal. The preamble to the patent, which has been printed by Dugdale, recites many of the principal facts which have been detailed in the preceding pages, but in a manner of its own, which is sometimes curious and significant.

The existence, for instance, of Leicester's acknowledged wife, the Countess Lettice, is wholly ignored; the suit which she raised against Dudley in the Star-Chamber for pretending to be lawful heir to the honours as well as lands of his father and uncle is spoken of without any mention of a plaintiff or complainant; one might be led to suppose that nobody except Douglas Howard had ever claimed the Earl for a husband. It is remarkable, by the bye, that, although the Court of Star-Chamber was abolished by statute in 1640, the King is made in this patent to talk throughout of "our High Court of Star-Chamber" as if it were still in existence. The patent speaks, too, of many of the depositions taken in the course of the inquiry into Dudley's legitimacy as remaining upon record in the said court,—"which," it is added, "we have caused to be perused for our better satisfaction herein." In the next sentence it is stated that a special order being made that the said depositions should be sealed up, and no copies thereof taken without leave, had caused Sir Robert to leave the kingdom. Then we have the history of the manner in which his estate of Kenilworth had come into the possession of the crown. It is asserted that, when Dudley agreed to let Prince Henry have what had been estimated at a great under value as worth fifty thousand pounds for fourteen thousand five hundred, of which never above three thousand pounds, if any at all, ever came to the said Dudley's hands, it was upon the Prince faithfully engaging, in addition, to aid him with his princely favour in obtaining his restoration both in honours and fortunes. Besides the four thousand

pounds received by Lady Dudley for the surrender of her rights in terms of the act of 1623, it is affirmed that further yearly payments were to be made to her out of the Exchequer, and out of the Castle and lands of Kenilworth, "which," proceeds his Majesty, "have not been accordingly paid unto her by us for many years, to the damage of the said Lady Alice, and her children, to a very great value." Dudley himself is spoken of as if it had been supposed that he was dead. Settling himself in Italy, are the words used, "he was so much favoured by the Emperor Ferdinand the Second, as that, being a person not only eminent for his great learning and blood, but for sundry rare endowments, as was well known, he had, by letters-patents from his Imperial Majesty, the title of Duke given unto him, to be used by himself and his heirs for ever throughout all the dominions of the Sacred Empire. Which letters-patents have been perused by our late Earl Marshal and Heralds." Had they been transmitted, then, to England for that purpose by Dudley? In conclusion, his Majesty piously assumes that his dear father could not have known "the truth of the lawful birth of the said Sir Robert," when he granted away the Earldoms of Warwick and Leicester to other persons; "which," however, it is added, "we now hold not fit to call in question, nor ravel into our deceased father's actions, especially they having been so long enjoyed by those families to whom the said honours were granted, which we do not intend to alter." Nevertheless, "having a deep sense of the great injuries done to the said Sir Robert Dudley and the said Lady Alice Dudley and

their children," his Majesty conceived himself "bound in honour and conscience to give the said Lady Alice and her children such honour and precedencies as is or are due to them in marriage or blood;" and therefore he grants to the mother the title of Duchess Dudley for her life in England, and the dominions thereto belonging, "with such precedencies as she might have had if she had lived in the dominions of the Sacred Empire;" and to her two surviving daughters, Katharine and Anne, "the places, titles, and precedencies of the said Duke's daughters, as from the time of their said father's creation."* It is plain from all this that Dudley's wife had claimed to be made a Duchess principally and specially on the ground that her husband had in another kingdom been made a Duke. By this time, probably, Elizabeth Southwell, whom he himself called his Duchess, was dead.

The Duchess Dudley outlived all her five daughters, except the youngest. She resided for many years in the parish of St. Giles's-in-the-Fields, London; and she died there on the 22nd of January 1670, in her ninetieth year. Her brother, Sir John Leigh, was the father of the first Lord Leigh of Stoneley, which title subsisted till the latter part of the last century, and has, since it became extinct or dormant, been the subject of one of the most remarkable of modern Peerage Cases.

* *Baronage*, II. 124.

BESS OF HARDWICK, AND THE TALBOTS.

THE woman who plays the most energetic part in the family history of the Peerage in the latter part of the sixteenth century is the famous Elizabeth Hardwick, successively Mrs. Barlow, Lady Cavendish, Lady Saint Loe, and Countess of Shrewsbury. We have already encountered her both in the story of Lady Catharine Grey and in that of the Lady Arabella Stuart, who was her granddaughter.

She was renowned in her own day, and still is in popular tradition, for her passion for building, and for the great houses she erected at Hardwick, at Chatsworth, and at Oldcotes; she may also be said to have been the founder of the two great ducal houses of Devonshire and Newcastle; but she is most worthy of memory as the architect of her own fortunes.

Her father was a country gentleman, John Hardwick, Esquire, of Hardwick, in the county of Derby, a property of some four hundred acres or thereby, on which his ancestors had been seated for five or six generations. Here, probably, on the hilly western border of Sherwood Forest, Elizabeth was born,—as it would appear, in the year 1517 or 1518. She was

one of many sisters, most if not all of whom were, as they grew up, disposed of in marriage among the neighbouring gentry, but no other of whom ever rose above their original station, or came to be in any way distinguished. She had concentrated in herself all the ambition of her race. The Hardwick young ladies, however, probably had a reputation for good sense and good training, which, at least with a moderate accompaniment of good looks, will generally do more than either great beauty or the cleverest management in the game of matrimony, as played in actual life. It could scarcely be their wealth, at any rate, that won them husbands; for all the portion that their father could afford them, it seems, was the sum of forty marks, or not quite twenty-seven pounds, a-piece.*

With no more gilding than that, Elizabeth Hardwick had the luck, while still in early girlhood, to make prize of one of the most opulent landholders in Derbyshire. She is said to have been only fourteen when she became the wife of Robert Barlow, Esquire, of Barlow, who seems to have been himself not much older.† It is related that the match was the result of a visit which Mrs. Elizabeth chanced to pay to a London relation, a Lady Zouch, in whose house Barlow was staying, confined by a chronic disease to his chamber, where the young lady, taking upon herself the office of his nurse, came to be his constant and almost

* Rev. Joseph Hunter, in *Archaeologia, Vol.* XXXII. *p.* 80.

† By Collins (*Peerage*, I. 289) he is called *Alexander* Barley, of Barley, Esquire. The Rev. Joseph Hunter (*Archaeologia*, XXXII. 80) designates him Robert, heir apparent of Arthur Barlow, Esquire, of Barlow, near Dronfield; as if his father had been alive at the time of the marriage.

sole companion, and, naturally enough, soon won her patient's heart, if she did not also lose her own.* But it is probable that when they were married there was no hope of Barlow's recovery: that would account for his having settled, as we are told he did, all, or nearly all, his estates upon his bride and her heirs. At all events he died very soon after, on the 2nd of February 1583,—"before they were bedded together, they being both very young," writes Margaret Duchess of Newcastle.†

The juvenile and wealthy widow was in no great haste to marry again. It was not till more than fourteen years after the death of Barlow, or till her age had been doubled, or more than doubled, that she entered upon her second wedlock. Then she accepted the hand of Sir William Cavendish, of Cavendish, in Suffolk. The marriage took place, as Cavendish has himself recorded in a minute chronicle of his domestic history which still exists in his own hand-writing, at Broadgate, in Leicestershire, the house of the Marquis of Dorset, on the 20th of August 1547, "at two of the clock after midnight."‡ As Cavendish was her second husband, so she was his third wife; and he had already had eight children by her two predecessors, the latter of whom had died in child-birth certainly not much more

* This is the account given by Miss Costello in her *Memoirs of Eminent Englishwomen*, I. 12, 13, on the authority of a MS. "History of George Earl of Shrewsbury, by Nathaniel Johnston, M.D.," in the possession of his Grace the Duke of Devonshire.

† *Life of William Cavendish Duke of Newcastle*, 153.

‡ *Collins, Noble Families*, 10.

than a year, if so long, before her place was thus again filled.*

By his third wife Cavendish doubled the number of his already numerous progeny His own record notes the successive arrivals of a daughter, Frances, "my ninth child, and the first by the said woman," in 1548; of a daughter, Temperance, in 1549; of a son, Henry, in 1550; of a son, William, in 1551; of a son, Charles, in 1553; of a daughter, Elizabeth, in 1555; of a daughter, Mary, in 1556; and of a daughter, Lucres (or Lucretia), in 1557. Between the two last births there was, by the account, an interval of scarcely more than ten months; the one having taken place on the 22nd of April, the other on the 2nd of March. How long this might have gone on, and at what rate, it is impossible to say; but on the 25th of October 1557 Sir William died. The domestic register closes with an entry of the event by his mourning widow, who calls him her "most dear and well-beloved husband;" adding, "On whose soul I most humbly beseech the Lord to have mercy, and to rid me and his poor children out of our great misery." Cavendish may have been her senior by twenty years or more.

She herself was still only or hardly forty. When her next marriage took place is not recorded; but certainly before August 1561, and possibly some years

* The only date omitted by Cavendish in his own record of his marriages and of the births of his children is that of the death of his second wife. He says merely; "Another child I had by the same woman, with the which she died, being a woman child, and my eighth child." But a preceding child had come into the world no longer ago than on the 6th of February 1545.

before that date, she had become the wife of Sir William Saint Loe,* Captain of the Guard to the Queen, and the possessor of several fair lordships in Gloucestershire. All these she demanded should be settled, in default of issue from her new marriage, upon herself and her heirs, that is to say her children by her former husband; and to this condition the enamoured Captain of the Guard found himself obliged to assent. "Accordingly," we are told, "having no issue by him, she lived to enjoy his whole estate, excluding his former daughters and brothers."* When he died is not stated.

But ere long his widow once more changes her name. Her fourth husband is George Talbot sixth Earl of Shrewsbury, already by a former wife the father of four sons and three daughters. So here were five families brought together into one—those of Cavendish by his three wives, that of St. Loe by his first wife, and that of the Talbots—making in all above twenty children. It was impossible that the Earl in his position could do what his predecessor the Captain of the Guard had so weakly done, and settle his property all away from his existing children upon his new wife and her heirs; but she secured her object, as far as it was attainable, in another way. She insisted, before she would give herself to Shrewsbury, upon his

* She was "Mistress Saintlow of the Privy Chamber," it may be remembered, when poor Lady Catharine Grey's affair with the Earl of Hertford was discovered. See *Vol. II. pp.* 277—279. She was probably at this time the wife of Saintloe, not his widow as stated at page 279. It may be doubted if Saintloe was knighted till some time after this, though he is commonly spoken of as having been Sir William at the date of their marriage. * *Collins, Noble Families*, 10.

giving two of his children in marriage to two of hers. His eldest son, Francis, Lord Talbot, was already married; that could not be helped; but after all it turned out to be rather fortunate for the provident mother's schemes; for Lord Talbot died before his father and left no issue. Meanwhile she consented to accept the Earl's second son, Gilbert, for her daughter Mary, and his eldest unmarried daughter, the Lady Grace Talbot, for her eldest son, Henry Cavendish. These two marriages were solemnised at Sheffield on the 9th of February 1568, Mary Cavendish being as yet only a child not quite twelve years old. The wedding of the father and mother followed after a brief interval: it had certainly taken place before October. The age of the new Countess was at least fifty; the Earl might be of about the same standing.

Now let us see what we can find up to this date to bring before us what manner of woman she was whose fortunes were thus remarkable. One thing is evident: there was something in her of a natural royalty, by which she made both persons and circumstances bend and lie subdued before her. She is said to have been handsome, and, although the portraits of her that have come down to us, taken after she had ceased to be young, would not go far to support that tradition, even they indicate a regularity of features which, lighted up with such an intelligence as hers, may have been very pleasing before the severer expression of advanced years and long experience of the world had come over it. But it was not in her beauty

that her potency mainly resided. It was by force of talent and force of will chiefly that she made her conquering and mounting way through life.

All men and all women into whom nature has put a superiority over those around them will mount in one fashion or another. It is the living germ, which will not be imprisoned in the mould like a dead stone, but will infallibly push itself up through any pierceable incumbrance and show forth in fruit or flower. The ambition of this woman may have been worldly and vulgar; she may have pursued power and domination with unwomanly inflexibility and a forgetfulness sometimes of better things; yet she is misconceived when she is represented, as she generally is, to have been only a concentration of unfeeling selfishness. That is the kind of misconstruction by which a poor incapable sensibility seeks to avenge itself on natures stronger and higher than its own. It is true that there was nothing weak about her: in standing upon the principle of *point de faiblesse* as the basis of all worthy conduct she was a very Danton. But her strength of character and admirable good sense did not exclude much else that was good. It is impossible that one who inspired so much ardent love can have been herself without heart. All her four marriages were probably marriages of affection on her own side as well as on the other; the three last certainly were.

Over her second husband, Cavendish, she retained unbounded influence as long as he lived. By her persuasion, it is related, he sold his ancestral lands in Suffolk, and, transferring himself to her native county

of Derby, there added to the extensive Barlow estates that of Chatsworth, which had long belonged to a family of the name of Leech, from whom, or from another family of the name of Agard, to whom it had been recently sold, it was purchased by Cavendish.* The old house of the Leeches was a respectable mansion, with a park; and in that doubtless in the first instance Cavendish and his wife took up their abode.

The earliest specimen that we have of her is a letter written by her in November 1552 from London, where she was with her husband, to a person who had been left in charge at Chatsworth. She desires him to look well to all things there till the coming home of her aunt, which she hopes would be shortly. "Let the weaver," she goes on, "make beer for me forthwith, for my own drinking and your master; and see that I have good store of it; for, if I lack either good beer, or charcoal, or wood, I will blame nobody so much as I will do you. Cause the floor in my bedchamber to be made even, either with plaster, clay, or lime; and all the windows where the glass is broken to be mended; and all the chambers to be made as close and warm as you can." It is the style of the mistress of a house, thoroughly understanding what comfort is, but at the same time as much alive to the duties as to the rights of her position. An unmarried sister, who has apparently been ill, has come to stay for

* Lysons (*Derby*, 146) says it was sold to the Agards by Francis Leech, who died in or about 1550. Mr. Hunter states that Lady Cavendish's mother had married Ralph Leech, the owner of Chatsworth, "which was the first connexion of the Hardwicks and Cavendishes with that place."—*Archaeologia*, XXXII. 80.

a time at Chatsworth. "I hear," she continues, "that my sister Jane cannot have things that is needful for her to have amongst you; if it be true, you lack a great honesty, as well as discretion, to deny her anything that she hath a mind to, being in case as she hath been. I would be loth to have any stranger so used in my house; and then assure yourself I cannot like it to have my sister so used. Like as I would not have any superfluity or waste of anything, so likewise would I have her to have that which is needful and necessary. At my coming home I shall know more, and then I will think as I shall have cause."* Though a careful and economical manager, she was given rather to magnificence of living and expenditure than to avarice or meanness. Cavendish afterwards began a new house at Chatsworth, but whether he lived to get into it is not clear. The old one, with its undulating floors and breezy apartments, was pulled down as soon as it could be dispensed with; and the completion of the other occupied his relict for a great part of her life. The biographical wife of her descendant the first Cavendish Duke of Newcastle says she had heard that it cost, first and last, above 80,000*l.* sterling.†

Another of her letters, also written from the Court, after she had become the wife of Saint Loe, supplies some additional characteristic strokes. It is addressed to another confidential or upper servant. She insists upon a troublesome tenant, one Wortley, who had engaged to "avoid," or leave, at Lady-day ensuing, being made to give an obligation, or formal

* *Hunter's Hallamshire*, 78. † *Life of Duke of Newcastle*, 153.

undertaking under a penalty, that he would do so; "for sure," she says, "I will trust no more to his promise." "And when he doth tell you," she adds, "that he is any penny behind for work done to Mr. Cavendish [perhaps her late husband's brother] or me, he doth lie like a false knave." Then, after some directions about her "works" and her "building," comes this expressive sentence;—"I perceive Sir James is much misliked for his religion; *but I think his wisdom is such that he will make small account of that matter.*"* Sir James, conjectured to be Sir James Foljambe, was evidently a Catholic.

In Saint Loe she had as attached a husband as she had had in Cavendish. In a letter from Windsor, addressed to his "own dear wife at Chatsworth," and beginning "My own, more dearer to me than I am to myself," we have the gallant Captain of the Guard pouring forth his grief in the most passionate strain, not only for that his continual nightly dreams only add more suffering to the pangs of absence, but particularly for that a person from whom he had expected to learn some tidings of her had been able to tell him nothing about the state in which she and her children were. "Therefore," he proceeds, "I pray thee, as thou doest love me, let me shortly hear from thee, for the quieting of my unquieted mind, how thy own sweet self, with all thine, doeth." "Thus," the glowing epistle is finished off, "wishing myself with thyself, I bid thee, my own good servant and chief overseer of all my works, most heartily farewell; by thine, who is

* *Hunter*, 79.

wholly and only thine, yea and for all thine, while life lasteth." He subscribes himself "WILLIAM SAINT LOE, ESQUIRE;" so that it would seem as if he had not yet been knighted. The letter is without the date of the year. A Postscript follows the signature, in which the devoted husband desires her to remember him to all *their* boys—*her* children and *his*—with new expressions of endearment. "Once again," he concludes, "farewell, good honest sweet." * "Farewell, my own sweet Bess," are the closing words of another letter, addressed "To my own good wife at Chatsworth." Other superscriptions are "To my own dear Wife at Chatsworth" —"To my honest sweet Chatsworth"—"To my loving Wife at Chatsworth"—all expressive of affection, esteem, and entire confidence.

But the most important as well as the best known portion of the life of this remarkable woman was that which she passed as the wife of the Earl of Shrewsbury. The name of Talbot, as every body knows, is one of the oldest and most renowned of our English historic names. Two Talbots, Geoffrey and Hugh, both living in the reign of King Henry the First, and both reckoned among the Barons of the realm, are supposed to have been brothers, and sons of Richard Talbot, whose father Philip Talbot, or Talebot, was Lord of Eccleswell and Credenhill, in Herefordshire, in the days of Edward the Confessor, as his ancestors had been from an early date. This, then, is not a Norman but a Saxon family. Hugh and six of his descendants, each the

* *Hunter's Hallamshire*, 79.

son of his predecessor, and alternately named Richard and Gilbert, are reckoned by the Peerage-writers to have been all Barons Talbot by tenure; the last of these, Gilbert Lord Talbot, was summoned to parliament in 1331; he was followed by four more Barons by writ, still in lineal descent and with the continued alternation of the two old baptismal names, till the fifth Gilbert died in 1419, leaving only a daughter, Ankaret, who was still under age when she too died in 1431. Meanwhile the fifth Richard, Gilbert's father, had by a marriage with the heiress brought into his line the Barony of Strange of Blackmere, created by writ in 1308. Both this ancient Barony, therefore, and that of Talbot now fell to Gilbert's younger brother John, who had besides previously, in right of his wife, the heiress of the Barony of Furnival, been summoned to parliament with the title of that Barony, which had been created by writ in 1295. This John Lord Talbot is the greatest of the Talbots. He was the first Talbot Earl of Shrewsbury, having been raised to that title in 1442. He is the Lord Talbot and Earl of Shrewsbury of the *First Part of King Henry the Sixth*, which indeed is mainly the history of his exploits in the French wars, in which from first to last he is said to have been engaged in forty battles and skirmishes, and of his death at the age of eighty at the battle of Chastillon in 1453. His son John, who fell with him there, was his son by a second wife, the heiress of the Barony of Lisle, and had accordingly inherited that Barony, created by writ in 1357, but had also been made by patent Baron Lisle in 1443, and Viscount Lisle in 1452. The Earl

had in 1446 been created Earl of Wexford and Waterford, and Baron Dungarvon, in the peerage of Ireland; and all his titles were inherited by his eldest son of the first marriage, also named John, and also, as well as his half brother, his father's companion in arms in the French wars. This second Earl of Shrewsbury fell, fighting on the Lancastrian side, at the battle of Northampton in July 1460, when King Henry himself was taken prisoner by Warwick, and, besides Shrewsbury, who was Lord Treasurer, the Duke of Buckingham, the Viscount Beaumont, the Lord Egremont, and three hundred knights and gentlemen were slain in an encounter which lasted only a few hours. A third Earl, George—a fourth, of the same name—and a fifth, Francis—the son, grandson, and great-grandson of the second—were all distinguished personages in their day, and fill up another century of the family history. George, the sixth Earl, also the son of his predecessor, had succeeded to the ancestral honours in September 1560. He had before this abandoned the unfashionable ancestral religion, and become the first Protestant Talbot: his father, though a Privy Councillor of Elizabeth's, had died a Catholic.

The Earl cannot well have buried his first wife more than a twelvemonth, if so long, when he went a-wooing to the widow of Sir William Saint Loe. Advanced in years and experience as they both were, their hearts were neither of them yet burnt out. This marriage too has all the appearance of having been, to a considerable extent, a love match. The Earl's first fondness is as passionate as if his bride had been still in

her teens. It is evident that she has acquired as great an ascendancy over this fourth husband as over any of his predecessors. In a short separation from her soon after she came into his possession, we have him writing to her in the same impatient strain which we have found the late Captain of the Guard giving way to in similar circumstances. His not having heard from her, he says, had driven him into the dumps, till he had been relieved by her letters. "I thank you, sweet none (*own*, or *own one*)," he goes on, "for your puddings and venison. . . . God send me soon home to possess my greatest joy. If you think it is you, you are not deceived."* Again, in December of the same year 1568, he writes; "My dear none, I have received your letter of the 8th of December, wherein appeareth your desire of my soon coming. What *my* desire is thereunto, I refer the same to your construction. If I should so judge of time, methinks time longer since my coming hither without you, my only joy, than I did since I married you; such is faithful affection, which I never tasted so deeply of before."† Another short note, written from Wingfield, on his way home, and dated the 28th of June, perhaps in the following year, is equally affectionate. After telling her how he wishes her with him "a nights," he adds, "I thank you, sweet none, for your baken capon, and chiefest of all for remembering of me. . . . Farewell, my true none."‡ Even some four or five years later he still expresses himself in a style of undiminished tenderness and excitement. "My dear none," he writes in 1573,

* *Hunter's Hallamshire*, 81. † *Ibid.* ‡ *Id.* 83.

"of all joys I have under God, the greatest is yourself: to think that I possess so faithful an one, that I know loves me so dearly, is all and the greatest comfort that this world can give. Therefore God give me grace to be thankful to him for his goodness shewed unto me a vile sinner. . . . I thank you, my sweet heart, that you are so willing to come when I will. Therefore, dear heart, send me word how I might send for you: until I may have your company I shall think long, my only joy; and therefore appoint a day; and in the mean time I shall content me with your will, and long daily for your coming. I your letters con very well; and I like them so well they could not be amended; and have sent them up to Gilbert. I have written to him how happy he is to have such a mother as you are. Farewell, only joy. Your faithful one, G. SHREWSBURY."*

What little we have of the correspondence on the side of the Countess during this period is couched in equally affectionate phraseology. "My jewel" and "my dear heart" are her formulas of address to her fourth husband, as they had no doubt been to all the others; "your faithful wife" still her concluding assurance at fifty, and beyond it, as at thirty.†

Not however, it must be confessed, that she allowed love the sole dominion of her thoughts. She was not likely to have done that at any time of her life. And now, in addition to her "building" and her "works," and the general superintendence of her estates, her independent rights over which she would

* *Hunter's Hallamshire*, 83. † *Id.* 82.

seem to have retained notwithstanding her marriage, and all the other business of a domestic or private kind which would be ever increasing with the extension of her family and social relations, her new position had opened to her a new field of activity. It is probable that she had long been something of a politician; her two last husbands had both been intimately connected with the Court, and she herself, as we have seen, had held a place there when she was Mistress or Lady Saint Loe.* But as Countess of Shrewsbury she might look to having it in her power, if she chose, to play a much more important part in that high sphere than she could have attempted as one of the Ladies of the Privy Chamber, and the wife of the Captain of the Guard.

The Earl, with his old nobility and his extensive estates, ranked as one of the greatest of the peers, in an age when such accidents of position carried a more substantial greatness with them than they do in our day, a greatness which was still a principal power in the state, though it had come to be subordinated or superseded by a force of a more real kind in the supreme direction of public affairs and the actual government of the kingdom. The Talbots had never been much noted for brain; even the most remarkable of them, the first Earl, had made his way not so much by his head as by his hand; the characteristic of the race, true to its Saxon origin, had been rather a dogged persistency, which sometimes showed narrow and almost stupid beside the dashing versatility

* See *Vol.* II. *p.* 277.

of the Norman genius. Earl George seems to have had a talent for money-making, but not much for any thing higher. Like his ancestors, however, he was distinguished for the most punctilious loyalty; and that fitted him admirably for public employment of a certain description. Whenever there was a place of mere honour or trust to be filled, he was the sort of man first thought of. Accordingly he was, soon after he succeeded to the Earldom, chosen a Knight of the Garter; at the trial of the Duke of Norfolk he was selected to preside as Lord High Steward, and on the Duke's attainder he was appointed to the vacated office of Earl Marshal; he was made one of the Chief Justices in Eyre, and President of the North, as well as Lord Lieutenant of no fewer than four counties, Derby, Nottingham, Stafford, and Warwick, in all of which he had estates. He was even nominated a Member of the Privy Council, when to be so was not a merely honorary distinction; but it was in such circumstances as made it scarcely more than honorary and formal in his case, for it was at the same time made impossible that he should ever take part, except by special permission, in the deliberations of the Council. A duty was imposed upon him which would keep him fixed in a remote part of the kingdom, and effectually prevent him from giving his attendance either at Council Board or in Parliament. The chief public employment of this great peer for the greater part of the time that he enjoyed his peerage, and the highest political preferment he ever attained, was to be jailor to a woman.

Poor Mary Stuart, escaped from Lochleven and the rout of Langside, had landed upon English ground at Workington in Cumberland on the 17th of May 1568, probably only two or three months before the Earl's marriage. Before the end of the same year the Earl, writing from Hampton Court to his wife at Tutbury, informs her that the Queen had told him that ere it were long he should perceive she trusted him as she did few, and intimates that he understood her to mean that the Queen of Scots was to be committed to his custody.* On the 20th of January following, accordingly, an order of Council was signed for removing her from Bolton, where she had been detained for the preceding six months under the charge of Lord Scrope, to Tutbury, where she was received by Lord and Lady Shrewsbury on the 2nd of February. From that day she remained in the hands of the Earl, whose occupation it thenceforward became to keep strict watch and ward over his prisoner, never leaving her side, but moving about with her wherever she went. By much the greater portion of the unhappy Queen's captivity was spent in his Castle of Sheffield; but she was occasionally carried to Buxton, as well as to Tutbury, to Worksop, to Chatsworth, and to the Earl's other houses of Sheffield Manor and Winfield.

In the actual discharge of this trust, if not in the legal responsibility, the Countess was necessarily associated with her husband. Hers, indeed, was a more delicate and confidential position even than his, and one of as much political importance as a wife, it may

* *Hunter's Hallamshire*, 81.

be thought, could reasonably have expected to occupy. But it probably did not bound her ambition. From the moment of her marriage she seems to have resolved not to remain a cypher in any business, public or private, in which her new lord should be concerned.

From the first we find her in receipt of all the intelligence of the Court from a correspondent who evidently writes without the knowledge of the Earl. 'Two of his letters, from which the signatures have been carefully torn off, fill each four or five pages of Mr. Lodge's collection. The first, written in January 1569, conveys to her apparently the first distinct information she had had of the completion of the arrangement for the disposal of the Queen of Scots. "The news is here," it says, "that my Lord your husband is sworn of the Privy Council; and that the Scottish Queen is on her journey to Tutbury, something against her will, and will be under my Lord's custody there." * The writer, at any rate, believes that he is communicating what will probably be new. But he does not confine himself to such matters as this, in which the Countess might be supposed to feel a personal interest. The bulk of the letter is occupied with a detail of the foreign intelligence of the day, embracing the affairs of the Low Countries, Spain, Sweden, Denmark, and France, such as might have been transmitted to Lord Burghley himself by one of his political agents. All this while there is no further mention of the Earl or any allusion to his existence; it is evidently a channel of information

* *Lodge*, I. 465.

which the Countess has established for her own separate and private use, and of which her husband is to know nothing. The most curious and conclusive proof of this, however, is afforded by the way in which he is spoken of when he is once more introduced at the close of the letter. Descending at last to domestic life, the writer proceeds:—"And thus God long preserve my Lord and your good Ladyship, and send that the liar's son's marriage take no place, that the wrath of God fall not on the House of Shrewsbury by the same, as the like hath fallen on other noble houses, that can never be withdrawn, to their other spoil; for the iniquity of that caterpillar his father cannot be chosen but to light on his issue; for if my Lord marry with him his lordship must maintain all the wrongs that he hath committed; for that he hath orderly and justly gotten is a small portion for such a noble lady, seeing he is not like to increase it by either policy, wit, or virtue, or any other good quality, but only by fortune, which is but a small certainty to trust unto."* Mr. Lodge affords us no help towards the interpretation of this vehement paragraph, and who "the liar" may be remains unknown; if the Peerages may be trusted, the only daughter of the Earl who can have been unmarried at this date was his second, the Lady Mary, who, we are told, became the wife, it is not said when, of Sir George Savile of Thornhill, ancestor of Savile Marquis of Halifax. Probably the Countess, thus passionately and solemnly urged by her secret adviser, managed to put an end to the negotiations with "the liar's son."

* *Lodge*, I. 470.

The letter-writer, it should be observed, is a relation; he finishes with praying for "a good hour" to his cousin Frances, the Countess's eldest daughter, who was married to Sir Henry Pierrepoint, ancestor of the Dukes of Kingston, and that the Countess may soon be "a glad grandmother." His other letter, "scribbled at London, the last of August 1570," is equally long, and is entirely occupied with public events.* It does not contain anything which, as far as can be judged, might not have been shown to the Earl, to whom indeed it sets out with the writer's remembrances of his most humble duty, so that perhaps his lordship had by this time been made acquainted with the fact that his wife was in the habit of occasionally receiving such communications. On the other hand, it is not at all unlikely that the formal expression in question may have been introduced merely to serve as a blind in case the correspondence should be discovered by the Earl.

Whether or no the confidence between the husband and wife was quite perfect, they seem to have lived in very tolerable matrimonial harmony for a good many years. The Countess continued to busy herself with her building; the time and thoughts of the Earl were taken up with his two queens, his prisoner and his sovereign, of whom it would be hard to say which kept him in the most constant tremour and perplexity. On the whole he probably suffered more disturbance from Elizabeth's jealousy and suspicion than from the apprehension of poor Mary slipping through his fingers, or blowing church and state into the air some day by her

* *Lodge*, I. 511—516.

plotting and secret letter-writing. He was himself as vigilantly watched by the one as he was obliged to watch the other, and had almost as little liberty of locomotion as his prisoner. "I cannot," Cecil writes earnestly to him in August 1569, "but . . . advertise your lordship of things necessarily belonging unto you. The Queen's Majesty, hearing doubtfully of uncertain reports that you should be, or would shortly, depart to the baths of Buxton, demanded of me what I heard thereof from your lordship." Cecil could only say, he was sure that, if the Earl had actually gone to Buxton, necessity must have compelled him, and he must have first made the most complete arrangements for the security of the Scottish Queen. Still her Majesty was troubled what to think of it, and so she commanded him to send off instantly an express to the Earl to learn "the very truth" of the matter, and at the same time to forward to Shrewsbury his own advice that, if he were not already set out, he would stay his journey till he should hear again from her Majesty. It had been reported, it seems, that the Countess also was gone or going to Buxton along with her husband.* Every report of anybody having caught a glimpse of her captive made Elizabeth uneasy. In September 1572 we have Cecil, now become Lord Burghley, dispatching the following caution to the Earl:—"Her Majesty told me a while ago that a gentleman of my Lord of —— I dare not name the party—coming to your lordship's house, was by your lordship asked whether he had seen the Queen of Scots or no, and he said no: Then, quoth

* *Lodge*, I. 480.

your Lordship, you shall see her anon. Which offer her Majesty misliking, I said that I durst say it was not true in that matter. I perceive her Majesty would have that Queen kept very straitly from all conference, insomuch it is more likely that she should be rather committed to [straiter] ward than to have more liberty." "Haste, post haste, haste, haste, for life, life, life, life, &c.," is the endorsement on this letter.* In December of the same year, Shrewsbury writes to Burghley to thank him heartily for seeking to satisfy her Majesty in some doubts she might conceive of him and his wife upon information that had reached her. He admits that he has sometimes ridden abroad to a short distance for the sake of his health; but he has always in such cases previously taken order for the safe keeping of his prisoner with a stronger guard, both within his house and further off, than when he is himself with her. "I thank God," he says, "my account of this weighty charge is ready, to her Majesty's contentation. No information nor surmise can make me shrink. Nevertheless, henceforth her Majesty's commandment for my continual attendance upon this Lady shall be obeyed as her Majesty shall not mistake thereof."† The correspondence between the poor tethered Earl and both Burghley and his other friends and advisers at court abounds with similar passages. In May 1573 his son Gilbert writes to him that considerable alarm had been occasioned by news having come that his lordship had removed with his charge from Sheffield Castle to the Lodge in the neighbourhood. Gilbert had been

* *Lodge*, I. 534. † *Ibid.* 557.

seriously spoken to on the subject by a person in intimate relationship with the government. "I told him," he writes, "what great heed and care you had to her safe keeping; especially, being there, that great numbers of men, continually armed, watched her day and night, and both under her windows, over her chamber, and of every side of her; so that, unless she could transform herself to a flea or a mouse, it was impossible that she should escape."* One passage more will be enough. In the beginning of the year 1575 Gilbert's wife, who, it may be remembered, was Lady Shrewsbury's youngest daughter, had been brought to lie in, where her mother would be with her, in Sheffield Castle; but even this domestic matter was not to be gone about without much precaution, nor did the shelter accorded to his daughter-in-law by the Earl fail to draw down upon him the frown of his royal mistress. We have him thus expressing his contrition and making the best excuse for himself he can to his friend Burghley:— "The mislike her Majesty [hath] of my son Gilbert's wife brought to bed in my house, as cause of women and strangers' repair thither, makes me heartily sorry; nevertheless, the midwife excepted, none such have, or do at any time, come within her [the Scottish Queen's] sight; and at the first, to avoid such resort, I myself, with two of my children, christened the child."† In this instance Elizabeth would be additionally ruffled by such a piece of impertinence as the poor lady's having a child at all.

Almost the only affair in which the Countess appears

* *Lodge*, II. 19. † *Ibid.* 50.

in a conspicuous way all this while is the marriage of her other daughter Elizabeth to Charles Earl of Lennox in the latter part of the year 1574. This transaction has already been related in the history of the unfortunate Arabella Stuart, the offspring of the marriage.* The resolute part that the Earl took in defence of his wife, though he had probably no share in bringing about the match, would imply that they still continued to be on the best terms. The Countess also soon recovered the royal favour; and when her Majesty was in good-humour she was disposed to give as much of her confidence to her as to her husband. "Touching one part of your letter lately sent to me," writes Leicester to the Earl in May 1576, "about the access of my Lady your wife to the Queen there, I find the Queen's Majesty well-pleased that she may repair at all times, and not forbear the company of that Queen, having not only very good opinion of my Lady's wisdom and discretion, but thinks how convenient it is for that Queen to be accompanied and pass the time rather with my Lady than meaner persons."† Soon after this the Countess had paid a visit to London. Writing

* See *Vol.* II. 353—355. "Young Barte," whom the Earl in writing to her Majesty says Elizabeth Cavendish had been disappointed of (p. 354), was Peregrine Bertie, afterwards Lord Willoughby D'Eresby. —See *Lady Georgina Bertie's Five Generations*, 61.—In a letter to Burghley dated from Sheffield, 5th Nov., 1574, the Earl, speaking of his wife's zealous maternal exertions, says:—"There is few noblemen's sons in England that she hath not prayed me to deal for at one time or other. So did I for my Lord Rutland, with my Lord Sussex, for my Lord Wharton, and sundry others; and now this comes unlooked for, without thanks to me." (*Hunter's Hallamshire*, 69.)

† *Lodge*, II. 73.

from the Court in the beginning of July, Gilbert Talbot tells his father that he had had some conversation with Leicester. "I never knew man in my life," he says, "more joyful for their friend than he at my Lady's noble and wise government of herself at her late being here; saying that he heartily thanked God of so good a friend and kinsman as your Lordship, and that you are matched with so noble and good a wife." * The next summer Leicester visited Shrewsbury and his wife in Derbyshire, where the latter probably laid herself out with all her art of ingratiation to deepen the impression she had made upon the omnipotent Favourite. On his return her Majesty addressed the Earl and Countess in a letter of overflowing gratitude. "Our Very Good Cousins," it begins, "Being given to understand from our Cousin of Leicester how honourably he was not only lately received by you our Cousin the Countess at Chatsworth, and his diet by you both discharged at Buxton, but also presented with a very rare present, we should do him great wrong (holding him in that place of favour we do) in case we should not let you understand in how thankful sort we accept the same at both your hands, not as done unto him but to our own self, reputing him as another ourself; and therefore you may assure yourselves that we, taking upon us the debt not as his but our own, will take care accordingly to discharge the same in such honourable sort as so well-deserving creditors as ye are shall never have cause to think you have met with an ungrateful debtor." Nor in this acknowledgment of

* *Lodge*, II. 76.

new debts, her Majesty adds, in the fullness of her satisfaction, can she forget her old debt; "the same being as great as a sovereign can owe to a subject;" seeing that, through their loyal and most careful looking to the charge committed to them, she and her realm enjoyed a peaceful government, the best blessing that prince could have on earth. The cordial and eloquent effusion is dated at Greenwich, the 25th of June 1577.

Very soon after this, however, a new scene opens in the matrimonial history of the Earl and the Countess, and after about nine years of a serene sky, as far as appears, the first symptoms of a change of weather begin to show themselves. The state to which matters had come is unreservedly revealed to us by a long letter from Gilbert Talbot to the Countess, which bears no further date than that of a certain Sunday in this year 1577, but was probably written in the latter end of July. It brings forward both husband and wife in a very dramatic way. The Earl has shortly before left his house at Sheffield after a quarrel between them, which, from various indications, can scarcely have been their first angry difference, though it had probably gone to a greater height than any preceding one. Gilbert, though anxious to bring about a reconcilement, is the partizan, as he has been the confidant, of his step-mother and the mother of his wife, and evidently thinks his father is the most to blame, if not alone in fault. He had met his lordship about one o'clock the day before at Bolsor, or Bolsover. "Gilbert," he asked him, "what talk had my wife with you?" "Marry, my lord," Gilbert says he

replied, "it hath pleased her to talk with me once or twice since my coming, but the matter she most spake of is no small discomfort for me to understand." On his father desiring him to repeat what she had said, he proceeded:—"Truly, sir, with as grieved a mind as ever I saw woman in my life she told me your lordship was vehemently offended with her, in such sort, and with so many words and shows in your anger of evil-will towards her, as thereby her ladyship said she could not but stand doubtful that all your wonted love and affection is clean turned to the contrary." Her ladyship, he went on to state, had declared that she had given him no cause of offence whatever. Hearing one morning that her embroiderers had been kept out of the Lodge, where they had been accustomed to sleep, by command of John Dickenson (apparently the superintendent there), she had come to the Earl and asked him if that had been done by his authority; to that question his lordship had simply answered No; and, on her rejoining that the person who had turned them out had asserted he had express orders so to do from Dickenson, he replied, with equal brevity, that the man's assertion was a lie. It is evident that this subject of John Dickenson and her ladyship's embroiderers was not now debated for the first time. The Earl, however, would by no means admit the fairness of the account the Countess had given his son. Gilbert would have gone on to recite, upon her ladyship's information, how she had requested to be told whether the embroiderers really had been kept out of the Lodge or no, in the manner stated, and how his lordship upon

this had broken out into vehement choler and hard specches; but the Earl cut him short, observing it was to no purpose to hear any more of that matter, for, if he chose, he could mention cruel speeches which his wife had used to him in their altercation,—"such," said he, "as that I was forced to tell her she scolded like one that came from the Bank."* It is not improbable that her ladyship had given Gilbert a somewhat mollified report of her own eloquence. However, the Earl went on, he would speak no more of that matter; "but she hath," said he, "such a sort of varlets about her as never resteth carrying of tales;" and then he inveighed against the embroiderers, and one Owen, the Countess's groom, in a tirade "overlong," writes Gilbert, "to trouble your ladyship with."

His lordship had dismounted when he and his son met, and all this while he had been upon his legs. At last he said, "Let us get up and be going; and I shall have enough to do when I get home." "I think," replied Gilbert, "my lady will be at Chatsworth by this time." "What," said the Earl, "is she gone from Sheffield?" She had, Gilbert told him, by nine o'clock that morning. This seemed greatly to surprise him. "Is her malice such," he said, "that she would not tarry till night for my coming?" Gilbert excused her on the ground that, as she had told him, his lordship had been aware of her intention, and satisfied that she should go to Chatsworth, having himself business at the Peak and designing shortly to follow her. He

* The well-known Bank, in Southwark the lowest and most profligate locality in old London.

swore he had never till that moment heard a word of her making such a journey; and, as for going himself to Chatsworth, her setting off as she had done gave him small cause to do so now. But whether he would go or not he did not say.

After they had been over his lands about Bolsover, his lordship began again with his son about the conduct of the Countess in leaving Sheffield before his return, a proceeding, he said, by which all the house might discern her stomach against him. "I answered," continues Gilbert, "beside that I said before, that your ladyship said you had very great and earnest business, as well at Chatsworth for your things there, as to deal with certain freeholders for Sir Thomas Stanhope; but he allowed not of any reason or cause, but was exceeding angry for the same." On this Gilbert thought proper, as he expresses it, to speak at large. "I pray your lordship," he began, "to give me leave to tell you plainly what I gathered by my lady. I see she is so grieved and vexed in mind as, I protest to God, I never saw any woman more in my life; and, after she had told me how, without any cause at all, your lordship uttered most cruel and bitter speeches against her when she all the while never uttered any undutiful word, and had particularly imparted the whole matter, she plainly declared unto me that she thought your lordship's heart was withdrawn from her, and all your affection and love [turned] to hate and evil will." Her ladyship, he said, took it as her cross that he judged of her in a manner so contrary to all she had deserved; and he repeated the protestations she had uttered to

himself of her dear affection and love to his lordship both in health and in sickness, when she had vowed upon her soul that she had wished his griefs were laid on herself, if he might so be disburthened of them. He had never seen woman so deeply moved as when she had thus told him of her dear love towards his lordship, and how he had requited her. He concluded his appeal by telling his father that now her ladyship said she knew he thought himself most happy when she was absent from him, and most unhappy when she was with him. "At this, I assure your ladyship," says Gilbert, "he melted; and, although I cannot say his very words were that he had injured and wronged you, yet both by his countenance and words he plainly showed the same; and answered, 'I know,' quoth he, 'her love hath been great to me, and mine hath been and is as great to her; and what can a man do more for his wife than I have done and daily do for her?' And so reckoned at large, your ladyship may think at the most, what he hath given and bestowed. Whereunto I could not otherwise reply than thus:—Quoth I, 'My Lord, she were to blame if she considered not these things; but I gather plainly by her speech to me that she thinketh, notwithstanding, that your heart is hardened against her, as I have once or twice already told your lordship, and that you love them that love not her, and believe those about you which hateth her.' And at your departure, I said, your ladyship told me that you verily thought my Lord was gladder of your absence than presence. Wherein, I assure your ladyship, he deeply protested the contrary; and said, 'Gilbert, you know the con-

trary; and how often I have cursed the building at Chatsworth for want of her company.' 'But,' quoth he, 'you see she careth not for my company by her going away. I would not have done so to her for five hundred pounds.' After this he talked not much; but I know it pinched him, and in my conscience I think so; but what effects will follow, God knoweth." When they parted Gilbert is convinced that his father in his heart desired a reconciliation with her ladyship, if he only knew how to bring it about.*

In all this, however, there is still almost as much of love as of anger; at least, if it be not a case of those *amantium iræ* which are *amoris redintegratio;* it is one where evidently much love has once been, and where on both sides a considerable *residuum* still remains. In point of fact nothing serious seems to have resulted at this time; and the conjugal peace was probably soon re-established. There is reason to believe that her ladyship took another groom, and relinquished the obnoxious Owen, though she considered him "a simple true man," and would have been glad to know what offence he had committed.† For some years longer they jog on together at least without any further outbreak which has left its impress upon history. The next distinct memorial that we have of the Countess is a letter of hers to the Earl, which Mr. Lodge assigns to the end of this year 1577, but Mr. Hunter with more probability to a date some three years later.‡ It seems to have

* *Hunter's Hallamshire*, 87, 88.

† See joint letter from Gilbert and Mary Talbot to the Countess, dated 1st August 1577, in *Hunter's Hallamshire*, 88.

‡ *Archaeologia*, XXXII. 81.

been written from Hardwick, which had by this time become the property of Lady Shrewsbury, either by the death of her brother and an arrangement with her sisters the other co-heirs, or rather, as it would appear, by advances of money made to the brother, who was all his life in embarrassed circumstances and in the frequent habit of applying for pecuniary assistance to his wealthy sister.* She was now building here. The letter is a very expressive document. It begins with the old customary form of address, "My dear heart,"—but that is nearly all the show of affection in it. Her ladyship dashes at once into the thick of business. Three lines briefly thank the Earl for some letters that he had transmitted for her perusal, and which she returns; and then she proceeds:—"If you cannot get any timber carried, I must be without it, though I greatly want it; but if it would please you to command Hebert, or any other, to move your tenants to bring it, I know they will not deny to do it. I pray you let me know if I shall have the ton of iron. If you cannot spare it, I must make shift to get it elsewhere, for I may not now want it. You promised to send me money afore this time to buy oxen, but, I see, out of sight out of mind with you." The complete separation of interests which this style would indicate is remarkable; the correspondence between husband and wife is carried on like a negotiation between two friendly but independent powers. The letter is couched throughout in the same *meum* and *tuum* phraseology,—with a leaning to the *meum*. Gilbert Talbot is designated emphatically "my

* *Archæologia*, XXXII. 81.

son Gilbert." Then follows a paragraph chiefly about "my wood stuff," and "my workmen," and, what is somewhat startling, "my *friend:*" the Earl is directed to show the letter to that individual, and then to return it. It would appear that his lordship had talked of bringing his prisoner to visit Hardwick, if he could obtain the royal permission. "It cannot be," the letter concludes, "but that you shall have the Queen's consent to remove hither; therefore, if you would have things in readiness for your provision, you might the sooner come. Come either before Midsummer or not this year; for any provision you have yet, you might have come as well at Easter as at this day. Here is yet no manner of provision, more than a little drink, which makes me to think you mind not to come. God send my jewel health. Your faithful wife, E. SHREWSBURY." The letter, then, was written, in whatever year, sometime between Easter and Midsummer. There is, however, no reason to suppose that the projected visit was accomplished, or that Mary Stuart ever saw Hardwick.* By her *jewel* the Countess probably

* See this point discussed in a paper "On the claim of Hardwick in Derbyshire to have been one of the residences of Mary Queen of Scots during her captivity in England; By the Rev. Joseph Hunter, F.S.A.;" in *Archæologia*, XXXII. 73—82. The common account probably rests on the authority of Bishop Kennet's "Memoirs of the Family of Cavendish," appended to his Funeral Sermon on the first Duke of Devonshire, where (p. 79) in speaking of the Scottish Queen he says:—"Her chamber and rooms of state, with her arms and other ensigns, are still remaining at Hardwick; her bed was taken away for plunder in the Civil Wars." This was published in 1708. That Mary Stuart never *resided* at Hardwick is quite certain. Mr. Hunter thinks that the present House at Hardwick was probably not erected by the Countess of Shrewsbury till after the death both of the Scottish Queen and of the Earl. But a

means her little grand-daughter Arabella Stuart. And perhaps it is only this infant who is meant by an expression in a Postscript to the letter, upon which another construction has been generally put;—"I have sent you lettuce, for that you love them; and every second day some is sent to your charge and you; I have nothing else to send. Let me hear how you, your charge, *and love* do; and commend me, I pray you."* If the Countess here calls the Queen of Scots her husband's *love*, it is, at any rate, only in jest.

The aspect of affairs between husband and wife, however, has now come to be very ominous. We are indebted for our next important revelation to a second letter from the much perplexed Gilbert, this time addressing himself to his father. It is dated "at your lordship's little house near Charing Cross, this present Friday, late at night, 15th of May 1579." A rebellion has broken out among the tenantry on two of the

portion of the old house, as is well known, still remains. "At Hardwick," says Kennet in his sketch of the history of the Countess (pp. 68, 69), "she left the ancient seat of her family standing, and at a small distance still adjoining to her new fabric, as if she had a mind to preserve her cradle and set it by her bed of state. That old house has one room in it of such exact proportion, and such convenient lights, that it has been thought fit for a pattern of measure and contrivance to the most noble Blenheim." Mr. Hunter has elsewhere noticed ("Who wrote Cavendish's Life of Wolsey," in *Singer's Cavendish*, *Vol.* II. *p.* 32) that, besides the more famous Hardwick in Derbyshire, there is a place called Hardwick upon Line, in Nottinghamshire, about as far to the south of the town of Mansfield as the other is to the north-west. "It is now," he observes, "gone to much decay, and is consequently omitted in many maps of the county." It is marked, however, in the map of Nottinghamshire given in Gibson's *Camden*, *2nd. Edit.* 1722. Both Hardwicks now belong to the Duke of Devonshire.

* *Lodge*, II. 96.

Earl's estates, Glossop, or Glossopdale, and Ashford; and both parties have brought, or are about to bring, the case, by complaint and cross complaint, before the Lords of the Council. Gilbert had thought it expedient to seek a private interview with the Favourite as soon as he had heard that the discontented tenants, or their representatives, had come up to town. Leicester treated the matter with his usual good sense. "When I had told him at length," Gilbert reports, "how the case stood, he agreed with me that it was a plain practice; yet nevertheless wished that, if by any means possible, we should stay them from complaining; saying, in general words, that, if they were not stayed, there would fall out greater inconvenience both to your Lordship and my Lady than you were aware of, how false and untrue soever their complaints were." What follows sets all parties before us graphically enough, —the Earl and the Countess on the one hand, Leicester himself and the Queen on the other. Leicester had begun by making some inquiries about the village of Ashford. When it was described to him, "he well remembered," continues Gilbert, "and that he had angled and fished at the end of the town; and said he thought it belonged wholly to my Lady; and asked whether your Lordship did meddle therewith or not. I answered him that *your Lordship had wholly left it to my Lady, to use at her pleasure, and was not privy how her Ladyship dealt therewith.* 'Well,' quoth he, 'but, for all that, assure yourself that whosoever set these varlets and the others on had no less evil meaning towards my Lord than my Lady; for here is

no difference made, neither in the Queen's opinion nor any other, but whatsoever concerns one of them touches them both alike.' 'And yet,' quoth he, 'I never heard of any practice for the removing of my Lord's charge, but, amongst other things, this was ever one: *that there was no good agreement betwixt my Lord and my Lady; and that it was informed, both to the Queen and others, that there was a secret division betwixt your* [*their*] *doings.*'" For himself, he said, he felt assured there never was any such thing. "But," he went on, "by the eternal God, if they could ever bring the Queen to believe it that there were jars betwixt them, she would be in such a fear as it would sooner be the cause of the removing of my Lord's charge than any other thing; for I think verily she would never sleep quietly after, as long as that Queen remained with them." Next to this, he added, it troubled her Majesty most when she heard the Earl was not so well beloved of his tenants as she would wish; that was what made her write to him lately so earnest a letter on the subject; "the which," said Leicester, "I could not stay if my life had lain thereon." "Well," he ended, "I am glad all these former matters are so well satisfied; and, to conclude, I pray God that my Lord and Lady have none but faithful and true servants about them, and that none of them do, by indirect means, cause it to be informed sometimes hither that there are mislikes or disagreements betwixt them when there are none at all." Gilbert declines troubling his father with his answers to many of these speeches of Leicester's on the plea that they would be too long; "your Lordship," he says, "may think that either I

answered according to my duty, and to the truth, or else I forgot myself over-much."* His lordship no doubt would have his own thoughts on that matter.

The history of the Earl's dispute with his tenants cannot be farther pursued here. Although the tenants were in the first instance reprimanded by the Council, and commanded to submit themselves to his lordship and to crave his favour, the Queen immediately intimated that she would not have this judgment carried out, on the ground that she was "determined to have all causes of grief in her subjects removed;" and in the end he seems to have been obliged to yield to all their demands. Elizabeth's conduct, in the opinion of Mr. Lodge, "arose entirely from her dread of the Earl's becoming unpopular among his tenants, and the contingent possibility of their being gained over to the interest of the Queen of Scots." † Soon after another addition was made to the poor Earl's troubles: he had complained from the first of the insufficiency of his allowance on account of the Scottish Queen, and now, instead of an increase of its amount, his royal mistress talked of reducing it. There are several letters upon this subject from his lordship to Burghley. In one dated from Sheffield, the 26th of July 1580, after observing that he had consented to accept the charge at first without regarding the peril it might bring upon himself or his poor estate, only to show the desire he had to do her Majesty service, and for no hope of gain or profit that he could make out of a rate of payment already brought down to half what his prisoner had cost while

* *Lodge*, II. 156. † *Id.* 158.

she was at Bolton, he proceeds:—"I do not know what account is made of my charges sustained in the keeping of this woman, but assuredly the very charge of victual of my whole household, with the entertainment I do give to my household servants, is not defrayed with the allowance I have from her Majesty; besides the which, I dare be bold to say, the wine, the spice, and the fuel, that are spent in my house yearly, being valued, come not under 1000*l.* by the year. Also the loss of plate, the buying of pewter, and all manner of household stuff, which by them is exceedingly spoiled, and wilfully wasted, stand me in 1000*l.* by the year. Moreover, the annuities I have given to my servants, to the end to be more faithfully served by them, and to prevent any corruption that by want they might be provoked unto, come to above 400*l.* by the year; yet do I not reckon the charges to all those soldiers I keep over that which her Majesty doth allow for them, which being but sixpence per day, [it] may be well considered that men in household, being employed in such painful and careful service, will not be so entertained. I do leave out an infinite number of other hidden charges, which I am driven unto by keeping this woman, for troubling you over long; but I do trust that her Majesty, of her own consideration, will so well think of these things, that she will not abridge anything of that which she hath hitherto allowed. I have, in these eleven years' service in this charge, not pestered her Majesty with any suits, neither have I lamented the heavy burthen my mind has borne in providing for her safety, and that my body has sustained,

being thereby weakened; only for that I do reckon myself happy and fortunate in living to do her Majesty true and loyal service." * In a letter which his lordship writes to his London agent, Thomas Baldwin, in the following February, he professes to have been reduced to the greatest straits by his expenditure on account of the Scottish Queen. After describing the charge imposed upon him as too heavy a burthen for him to sustain any longer, he desires Baldwin to lose no time in ascertaining what decision her Majesty means to come to about his allowance, that he may the better answer some of his creditors. And then, as if, upon reading over his letter, he had found it not strong enough, he adds this Postscript:—"I would have you buy me *glasses* to drink in. Send me word what old plate yields the ounce; for I will not leave me a cup of silver to drink in, but I will see the next term my creditors paid." † "Was it the Earl's serious intention," Mr. Lodge asks, "to sell his plate, or did he mean that Baldwin should communicate this intimation to the ministers, in hopes of moving Elizabeth's compassion?" Meanwhile, the public estimation of the Earl's circumstances, it would appear, was very different from his own representation of them. About this very time we have Leicester writing to warn him, in his civil but significant way, in regard to what was rumoured of his "great purchasing and riches." "This world," he observes, "is wholly given to reports and bruits of all sorts, and this matter has been long spread toward your Lordship, and, albeit perhaps some speak

* *Lodge*, II. 181. † *Id.* 196.

of it not with the best mind or to the best intent, yet so long as they cannot justly charge you with ill getting it, or by ill means to come by it, it is a very good slander." Only, the adroit courtier intimates, the report may be spoken to harm his lordship some way in her Majesty's liberal consideration of him, though he hopes it will not have that effect. But there is another report, "which, I know," says he, "will much mislike her Majesty, that is, [that] your Lordship doth of late keep the Scotch Queen there very barely of her diet, inasmuch as on Easter day last she had both so few dishes, and so bad meat in them, as it was too bad to see it; and that, she finding fault thereat, your Lordship should answer that you were cut off of your allowance, and therefore could yield her no better." He merely hints that his lordship will do well to lose no time in satisfying her Majesty that there are no grounds for such a charge.*

Writing again to his agent Baldwin some time after this (in July 1582), Shrewsbury remarks that his riches that people talk of are all in other men's purses. "God knows," he adds, "I make many shifts to keep me out of debt, and to help my children, which are heavy burthens, though comfortable so long as they do well."† It has been one of his complaints to Burghley in a former letter that his children had been restrained in their free access to him by her Majesty's command; "whereby," he says, "the world may gather that either my children are not so obedient as they ought to be, or else I more unable to direct and govern them than any

* *Lodge*, II. 198. † *Id.* 223.

my servants, at whose hands I cannot in reason look for such a readiness to obey my commandments and directions as at theirs; besides the discomfort this prohibition breedeth in me."* All his four sons were still living. But in the autumn of this same year 1582, in the beginning of which his wife had lost her second daughter, the Countess of Lennox, the Earl's eldest son, Francis Lord Talbot, also died, leaving no issue. That title of courtesy, therefore, henceforth distinguishes the Countess's son-in-law, Gilbert, now become the heir-apparent to the Earldom.

Up to this time the alienation or opposition that had been growing up for the last four or five years between the Earl and the Countess had not gone beyond ordinary matrimonial jarring. It is very likely that it had taken its beginning from that which has been declared to be "the root of all evil." A little before this (in November 1581) we find the Earl, in a letter to Baldwin, noting, among other troubles, his wife's pressing him for money, which he contemptuously calls "the old song." † It is one which husband and wife are not apt to sing together with the better harmony for frequent practising. In this case there were special causes of discordance; and the wonder rather is that matters had gone on smoothly for so long. The two had to a great extent separate and conflicting interests, and that in various ways; not only had each a family of children which were not the children of the other, but the Countess, whatever might be her legal rights, seems to have been left in the actual enjoyment of the

* *Lodge*, II. 190. † *Lodge, Talbot Papers*, 45.

same authority over what had been her own estates that she had exercised during her widowhood. We have seen how she carries on her buildings and works both at Chatsworth and Hardwick without reference to or recognition of her husband, beyond trying what she can get out of him to reduce her own expenditure upon the purchase of cattle and the carriage of wood and iron. At one or other of these places she is often resident by herself, or with one of her sons, while the Earl is left alone at Sheffield. There was no natural adaptation between them, but rather a natural hostility of character at all points. Their similar tastes brought them into collision as much as those in which they differed drew them asunder. Thus, their fondness for money, which might have tended to unite them if they had had a common purse, had the opposite effect as matters actually stood.

For as long as it would do at all, the Earl, with his peaceable temper, had, rather than come to a public rupture with his wife, let her have her own way, and even gone along with her when she demanded his conjugal countenance or help in any of her movements that were not quite unreasonable. For example, so late as in July 1582, on the death of the wife of her son Charles, she gets his lordship to write to Sir Thomas Cornwallis to use his interest with the lady's father, Sir Thomas Kitson, in favour of the widower; and the letter, as appears by a note in her own hand on the rough draught of it, was penned from her dictation.*

* *Lodge, Talbot Papers*, 48.

Doubtless, too, the unmusical "old song" still proved frequently efficacious with the wearied husband, boring and bothering him, long after it had ceased to charm him, out of his money.

But open war breaks out at last. The list of the unpublished Talbot Papers exhibits in the earlier part of the following year 1583 entries of two letters from the Earl to Baldwin, relating to what is called the Countess's misconduct, and to a dispute with her which is to be settled by arbitration.* Under date of the 20th of June we come to a third described as made up of complaints of the Countess and her sons, Charles and William Cavendish.† The state of affairs probably a little later in this year may be gathered from a letter written to the Countess by Gilbert Talbot (his wife subscribing it along with him). Gilbert had had an interview with his father, and he thus reports what had passed to his mother-in-law:—"He told me the cause he would not have me carry my wife to London was, for that he thought your Ladyship would go up to London, and then would my wife join with you in exclaiming against him, and so make him to judge the worse of me,—with much to that effect. I alleged the necessity of my wife's estate; how ill I could live here without any provision; but he cut me off, saying he looked hourly for leave to go up, and, after he had been there himself, I might carry her if I would, and if I did before he could not think I loved him. And, for her health, he said, physicians should be sent for, though he bore the charges; and would not suffer me

* *Lodge, Talbot Papers*, 49. † *Ibid.*

to speak a word more thereof, but bade me now do it if I would. . . . Then he told me that the matter was heard betwixt your Ladyship and him; and Sir W. M. and the Master of the Rolls was wholly on your side, and would have set down an order clean against him; but that the Lord Chief Justice would not thereto consent, but stuck to him as friendly as ever man did. He would honour and love him for it whilst he lived." The result, it seems, was that the order or judgment was deferred for a few days. From this his lordship passed to a demand which had been made upon him by William Cavendish for 1800*l.*; "whereof," says Gilbert, "he spake so out of purpose, as it were in vain to write it." On the other hand he exceedingly commended Henry Cavendish for maintaining his honour, and said he should fare the better for it. "I began," continues Gilbert, "many times to tell him my griefs, and to open my estate; but he would not suffer me to speak, but said he loved me best of all his children, and that I had never given him cause of offence but in tarrying so long at Chatsworth; which thing he also would not suffer me to answer, but said it was past and he would not hear more thereof." *

With all his literal way of looking at things, the Earl

* *Hunter's Hallamshire*, 89, 90.—In the course of their conversation the Earl called Gilbert's attention to a circumstance which had come to his knowledge. Hercules Foljambe had, it seems, been asserting that his lordship had commanded his son to put away his wife; he had said so the other day at Newark to one Lewis who had met him there, and who, being now sent for, repeated to Lord Talbot what he had previously mentioned to his father. The Earl desired his son to charge Foljambe with what he had said, and to make him give up his authority. Was this the Hercules Foljambe the defendant in the famous Star Chamber

was not an unreasonable man. His understanding was indeed as narrow and rigid as a foot-rule, which it also resembled in having everything marked out upon it by precise, immoveable lines. His notions and principles were all measured by the inch, and were as incapable of being accommodated in the slightest degree to diversity of circumstances as if they had been made of wood or of iron. In other words, they were rather dead dogmas than convictions having any real life in them. Or, at least, what of vital force they had was chiefly muscular and contractile; justice to himself might be a sentiment with him, but justice to others was little more than a rule. Still, though not a generous, he was a conscientious person. Nor was he without kindness of heart, especially for those whom he looked upon as belonging to him and in a manner forming part of himself.

It is in a letter of Mary Stuart's to M. de Mauvissière, the French ambassador at the court of London, dated from Sheffield Castle in December of this year, 1583, that we find the first mention of a matter which could

case so constantly and erroneously referred to as having settled an important point in the law of Divorce (see *Vol.* I. *Appendix* II.)? Any separation of husband and wife was a matter in which he might naturally be supposed to take an interest. The Foljambes, or Fuljambes, were a Catholic family of Derbyshire, one of whom, however, Godfrey Foljambe, had conformed to the established religion. Among the unpublished Talbot Papers is a letter from Lord Shrewsbury to Burghley, dated 12th July 1590, representing this Godfrey's cruel treatment of his grandmother, who had been committed to his custody for recusancy (*Talbot Papers*, 64). She was a daughter of Sir Edward Littleton, and widow of the Sir James Foljambe supposed to be referred to in the letter of the Countess quoted *supra*, p. 154. (See *Lodge*, II. 339).

not fail greatly to embitter the controversy between the Earl and his wife. The Scottish Queen beseeches Mauvissière to request her Majesty of England to see right done to her with the Countess of Shrewsbury and her children in regard to certain vile reports which they have spread respecting her. It is a thing, she says, which she has so much at heart that she can never have any enjoyment of life till the wickedness of her traducers shall be exposed to the world. She is resolved to raise her voice so high upon this subject throughout Christendom, if justice be not quickly done her, that the manner in which she is used shall be universally known.* Further and more explicit notices run over the whole of the following year. Writing again to Mauvissière on the 2nd of January 1584, Mary repeats her determination to make a formal appeal to all Christian princes, offering to meet and answer the calumnies of her enemies in any public assembly before which they shall dare to appear, and submit to any judgment that may thereupon be passed. This may be thought a strange course for her to take: but the reason that moves her is her having learned that certain of her said enemies have lately gone to such a height of licence and detestable falsehood as to tax her honour with the nobleman who has the custody of her. For the present, however, she will name no one, "as well," she says, "for what I have owed in past times to her who has for her present purposes taken advantage of this lie, of which formerly she has made sport to myself with bursts of laughter (having, indeed, herself more interest in it than any one else),

* *Labanoff*, V. 390.

naming one Topcliff* as the author of the brilliant invention (for I do not wish, notwithstanding all her extreme ingratitude, to injure her now in that in which she formerly intended to do me good); as that I may not put in hazard any one of those behind whom, calling them her friends, she may seek to shelter herself."† She means, of course, the Countess of Shrewsbury.

The imprisoned Queen evidently has here got hold of a good grievance, and is set upon making the most of it. It will be observed, too, that Lady Shrewsbury and she had once been great friends, and that they had quarrelled about something else before her Majesty has seen good to make her present charge against the Countess. The rupture between them was probably recent. The relations in which they thus stood to each other should not be forgotten by us in reading Mary's passionate asseverations.

She returns to the subject in another letter to Mauvissière of the 5th of January. As for the Countess of Shrewsbury, she says, "if I were once free from all fear of opening my mouth against her, I am certain that she and all her followers will have good reason to repent of having so cruelly and treacherously attacked me; for I have already in writing (*par escript*) such acts and practices of her and hers to reveal, deeply involving the Earl of Leicester and others of that faction, that, if they should ever come to the knowledge

* Richard Topcliff, of Somerby, in Lincolnshire, was so famous for his Protestant zeal that, in the cant language of the time, *topcliffizare* signified to hunt a recusant.—See *Lodge*, II. 125.

† *Labanoff*, V. 397.

of the Queen of England, I do not think she would again place confidence in any of those persons. It would not be amiss that you should indirectly let the Earl of Leicester understand that you have formerly heard from one of my attendants, whom you chanced to meet, that the said Countess had revealed to me some very great secrets about the said Earl, and touching as well his most private intercourse with the Queen of England as his political designs; and thereupon you may advise him not to drive me to extremities." *

The reference in this passage probably is to the famous letter, without date, addressed by Mary to Elizabeth, in which she details in all their particularity the scandalous stories respecting Elizabeth which she says she had been told in confidence by the Countess of Shrewsbury, although she never, she asserts, believed a word of them. There can be no doubt as to the genuineness of that letter, which was first published by Murdin,† and which still exists in Mary's own handwriting at Hatfield, where it was lately examined by Prince Alexandre Labanoff.‡ But it is clear, on the other hand, not only that it was never seen by Elizabeth, but that it was never sent to her by Mary. The whole strain of Mary's subsequent correspondence is quite irreconcileable with the supposition that she had ever actually dispatched such a letter as this, although there are several passages implying that she was in possession of such information as it contains, and hinting at the use she might some day be driven to make

* *Labanoff*, V. 402. † *Burghley Papers*, 1759, *pp.* 558—560.
‡ *Lettres de Marie Stuart*, VI. 56.

of it. Murdin prints the letter under the year 1586; Prince Alexandre Labanoff assigns it to November 1584. But, if we are right in our conjecture that it is alluded to as already in existence in the above mentioned letter to Mauvissière, it must have been written in 1583, if not still earlier.* It was probably the first produce of Mary's quarrel with the Countess, at whatever time that event may have taken place. She speaks in one passage of Elizabeth and herself having been both ill at the same time about four or five years before. Some things that she mentions may help towards filling up our picture of the Countess. She puts down, she says, what Lady Shrewsbury had told her, in conformity with her promise to Elizabeth and the desire since expressed by the latter, although for the greater part she neither believed it at the time nor does now, knowing her Ladyship's character (*naturel*) and the spirit with which she was then animated against her Majesty. One of the Countess's stories was that she had tried to bring about a marriage between her late daughter, the widow of the Earl of Lennox, and Sir Christopher Hatton, who, however, durst not listen to the project for fear of Elizabeth. Among other things, "she advised me," says Mary, "laughing immoderately, to put forward my son to make love to you, as what would do me the greatest service; and, when I replied to her that such a proceeding could only be taken for a piece of mockery, she answered that you were so vain and had such an opinion of your beauty, as if you were some goddess of

* Mr. Hunter (*Hallamshire*, 68) would assign it, on other grounds, to August or September 1582.

the heaven, that she would pledge her head to make you believe it without any difficulty, and to entertain my son on that footing." Elizabeth, it will be recollected, was James's senior by more than thirty years; in 1583 she was fifty, while he was only seventeen. The Countess, according to Mary, went on to say that Elizabeth took such pleasure in the flatteries out of all reason which people addressed to her, as when they told her that no one durst look directly at her for more than a moment because her face shone like the sun, that she and all the other ladies of the Court had been compelled to employ habitually that kind of language. She declared, the pertinacious narrative proceeds, "that in her last visit to your Majesty, she and her daughter Lady Lennox, when speaking to you, durst not let their eyes meet for fear of bursting out into laughter at the bombast (*des cassades*) which she addressed to you. When Lady Lennox returned she desired me to chide her because she would never be persuaded to do the like herself. As for her daughter Talbot, she assured me that she could hardly ever keep from laughing in your face." Lady Talbot, too, Mary affirms, immediately after her return from Court and taking her oath there as one of Elizabeth's servants, had insisted upon going through the same ceremony to her, saying that she would now repeat in earnest what she had elsewhere performed in show and mockery. "The Countess," the letter goes on, "further said that, when she was making up the match between her son Charles and one of the nieces of Lord Paget, you, out of mere absolute authority, would have the lady for one of the Knollyses, because he

was your relation; on which she exclaimed against you in strong terms, declaring that your conduct was nothing else but tyranny, desiring as you did to dispose according to your own fancy of all the heiresses in the country; but that the time would come when the nobility of the realm would suffer it no longer, especially if you should address yourself to some others whom she knew." Finally, and this is a curious trait of her character, the clever, merry-hearted, reckless Countess had, it seems, persuaded herself, on the authority of a pretended prophet called John Lenton, and of an old book of predictions which she had, that Elizabeth would soon be carried off by a violent death, when she would be succeeded by another Queen, "whom," says Mary, "she interpreted to be me, only regretting that, according to the book, that other Queen would reign but for three years, and would then also die by violence. The book, besides, had a last leaf, the contents of which she would never tell me. She knows that I always treated all this as pure folly, but she laid her account nevertheless with being the first in my good graces, and even that my son should marry my niece Arabella." *

On the 28th of January 1584 the captive Queen again writes to Mauvissière in a more vehement strain than ever on the subject of the reports about herself and the Earl. She will undertake to provide a champion who shall vindicate her honour in mortal combat against whosoever shall dare to assail it, and compel her calumniator, if his wicked conscience shall permit him to accept her challenge, to confess himself a

* *Labanoff*, VI. 51—56.

poltroon, a villain, and a liar. She trusts that Elizabeth will not reject her demand to have justice done to her in this matter. "Up to this time," she says, "I have never allowed myself to believe what a lady of this kingdom and her youngest daughter [that is, the Countess and Lady Talbot*], my servant by her oath voluntarily given and never required by me, have again and again dinned in my ears, that neither I nor my son could ever hope for friendship or favour from the said Queen my good sister, seeing that she hated us both to the last degree, and that the readiest and surest way of gaining her good graces was, as they themselves had experienced, to show on our part more hatred and hostility than could be evinced against us."

In another letter dated the 26th of February, after stating some reasons which withheld her from exposing the Countess and laying before the Queen of England and her Council the various slanders and underhand practices of that wretched woman as well against Elizabeth as herself and certain lords of the realm, she urges the ambassador to demand by every means in his power the clearing of her innocence in regard to the calumny about the Earl, either by public proclamation throughout the kingdom, or by the exemplary punishment of the authors of the report. "If they press you to name them," she adds, "you may say you have heard that they are Charles and William Cavendish, instigated by the Countess of Shrewsbury; and thereupon you may at least require that they be examined." She goes on

* Not Lady Lennox, as assumed by Prince Alexandre Labanoff, *Lettres*, V. 413.

to complain that Leicester and Walsingham have secretly leagued themselves with the Countess, to whom they had sent a copy of her last letter to Mauvissière; and that the persons who have been most intimately connected throughout this business with the Countess and her children are two of Leicester's servants, Lascelles and Topcliffe.*

Again, on the 21st of March, as if every hour inflamed her eagerness to be avenged on her "honourable hostess," as she sarcastically designates her, and inspired her with some new scheme for her destruction, she desires Mauvissière to take an opportunity of telling Elizabeth privately, and, if possible, after having got her promise to keep the information a secret, how nothing had so much alienated the Countess from her, the Scottish Queen, as the vain hope she had conceived of making the crown fall upon the head of her grand-daughter Arabella, by marrying her to the son of the Earl of Leicester. The two children had been brought up in this notion; many love tokens had passed between them, and their pictures had been sent by the one to the other. Before she had taken this project in her head, the Countess had "been," says Mary, "so attached to me with her whole being, and without reservation of any duty or respect, that if I had been her own sovereign she could not have gone greater lengths." In proof of this she mentions certain facts, which Mauvissière was to pretend to have learned from one of her attendants:—"Tell the Queen of England," she continues, "that I had a distinct promise from the Countess, that, if ever my life

* *Labanoff*, V. 427.

should be in danger, or it should be proposed to change my place of imprisonment, she would procure me the means of making my escape; that she made her son Charles Cavendish take an oath to me in her own presence* that he would reside in London for the express purpose of being able to give me information of everything that happened at Court, and that he would keep two good strong geldings in constant readiness to send me instant advertisement of the death of the Queen, who was then ill." The Countess, moreover, and her sons, Mauvissière was to add, had used all the persuasions they could to make Mary believe that she was in danger in the hands of the Earl, and that but for the friendship of the Countess he would give her up to her enemies or allow them to carry her off. For the present the ambassador was to show Elizabeth only these two little patterns or specimens (*eschantillons*), by which her Majesty might judge what had been the entire piece contrived and woven during so many past years between Mary and the Countess. Mary could, moreover, name several persons who had formerly brought her ciphers by express command of the Countess, who had herself delivered them with her own hand. Finally, the ambassador was to say he was convinced that, if Elizabeth would be pleased to have Mary questioned skilfully and in good humour (*par bonne voye*) about the conduct of the Countess, she could reveal other facts of greater importance and by which some of the persons nearest her Majesty would find themselves implicated. "Secure

* This seems to be the meaning of "que par son filz Charles Cavendish elle me feit en sa presence jurer."

this point, if possible," she concludes, "that she keep your communication a secret, without ever naming you, who have been induced to make it by your devotion to her interests, and in order that she may know the truth in regard to the confidence that she ought to have in the said Countess, whom you are of opinion that by a present of two thousand crowns I could gain over to any extent that I chose."*

This is unscrupulous work, certainly; and, if the Countess was all that is asserted, she has found her match, both in intrepidity and in craft. The very next day Mary takes up the subject again in a letter to Elizabeth herself. She had been on the point of fully opening her heart about it in a letter to her good sister, when a message from Elizabeth had been brought to her by the Earl of Shrewsbury respecting this and other matters. She has never, she says, doubted Elizabeth's disposition to see justice done to her, whatever impression the good lady in regard to whom she has already had occasion to express her sentiments (that is to say, the Countess) may have tried to give her of her Majesty's implacable enmity. She knew that to be true which this same lady had formerly told her, namely, that once when she was at Court Elizabeth had spoken to her about a similar report, spread, the Countess said, by a person named Topcliffe, and had in the most explicit manner declared that she could give no credit to it, regarding the Countess, besides, as too clever a woman not to perceive such a thing if it had existed, with the opportunities she had of constant observation.

* *Labanoff*, V. 436—438.

She entreats Elizabeth, nevertheless, to permit the French ambassador to make inquisition after the authors of the scandal, and also to command the Earl of Shrewsbury to take some trouble about it, as a duty which he owed to her Majesty, and which Mary thinks he had too much neglected up to that moment.*

The Earl, however, had been trying for some time to obtain leave to come up to Court with the avowed object of vindicating himself from the calumnies of his wife. And he had also meanwhile been taking other measures for the counteraction of her ladyship's hostile proceedings. In the end of July we have him issuing from Sheffield Manor a general notice to the tenants on the estates of the late Sir William Saint Loe not to pay rent to the Countess, claiming it as widow of the said Sir William.† It must have been about the same time that he wrote an extraordinary letter, without date, which Lodge has printed, to Leicester, in answer to one in which Leicester had, along with other matters, communicated to him the death of his son Lord Denbigh on the 19th of that month.‡ "My good Lord," Shrewsbury begins, "for that I perceive your Lordship takes God's handiwork thankfully and for the best, doubt not but God will increase you with many good children, which I wish with all my heart." But he immediately rushes off in another direction:— "And where it pleases you to put me in mind of Gilbert Talbot, as though I should remember his case by my own, truly, my Lord, they greatly vary. For

* *Labanoff*, V. 448. † *Lodge, Talbot Papers*, 51.

‡ See *Vol.* I., *p.* 112.

my son, I never dissuaded him from loving his wife, though he hath said he must either forsake me or hate his wife; this he gives out, which is false and untrue. This I think is his duty; that, seeing I have forbade him for coming to my wicked and malicious wife, who hath set me at nought in his own hearing, that, contrary to my commandment, [he] hath both gone and sent unto her daily by his wife's persuasion, yea and hath both written and carried letters to no mean personages in my wife's behalf. These ill dealings would he have salved by indiscreet reports, for in my life did I never seek their separation; for the best ways I have to content myself is to think it is his wife's wicked persuasion and her mother's together, for I think neither barrel better herring of them both. This my misliking to them both argues not that I would have my son make so hard a construction of me that I would have him hate his wife, though I do detest her mother. But, to be plain, he shall either leave his indirect dealings with my wife, seeing I take her as my professed enemy, or else indeed will I do that to him I would be loth, seeing I have heretofore loved him so well." Gilbert, he goes on to say, is the chief countenance or stay the Countess has. Still he does not intend in any case to be so unnatural as to deprive him of the principal inheritance belonging to the Earldom. He had been a costly child to him, the irritated father adds, in his habitual vein of recollection; yet, if he will return to him in time, he will think all that he has given him well bestowed. He takes the way to *spoil*, or ruin, himself by keeping his wife in London.

Let Leicester, if he really loves him, persuade him to come down and settle himself in the country, of course bringing his wife with him. The Earl's main object is to effect a separation between the mother and daughter. So long as Gilbert chooses to keep his wife in town, he will, besides denying him all favour and regard, withhold his allowance of 200*l.* a year. If he allege that it is her Majesty's command that he shall remain at Court, "let his wife come home, as more fit it is for her."*

Soon after this the Earl at last obtained the permission he had been so long soliciting. On the 25th of August Sir Ralph Sadler, accompanied by his secretary Mr. Somer, arrived at Sheffield Castle, to take his place as the keeper of Mary Stuart during his lordship's absence; on Thursday the 3rd of September she was transferred in Sadler's custody to Winfield; and there on the following Sunday Shrewsbury took leave of her. He set out for London the next day. On the 15th he appeared at a Council held at Oatlands, at which were present Burghley, Leicester, Sir Henry Sidney, Hatton, (Vice-Chamberlain), and Walsingham, and there, as it is recorded, at the commencement of their lordships' sitting, rose and addressed his colleagues. He had, he said, been a great while absent from that honourable place, and he understood that meanwhile sundry untrue reports had been raised about him, as though he had not faithfully and loyally served her Majesty in his charge; it was one the importance of which he had not fully perceived when he first undertook it, and he had accepted it at the persuasion of others (he could

* *Lodge*, II. 243—245.

only mean his wife), who "thought to have led him at their pleasure to serve their turns, yet, after finding that they could not so much prevail with him, did find fault with his insufficiency;" he had, however, the full approval of his own conscience; and since his coming hither her Majesty had been pleased, to his great comfort, to declare to him that she knew no cause to think him other than a true and loyal nobleman; he now, therefore, before he would take his place at that Board, most humbly besought their lordships, and especially her Majesty's Secretary, to inform him whether they knew or had heard of anything that might touch him in honour or loyalty, that if they had he might at once answer and clear himself. On this he withdrew from the table to a recess in the room, while their lordships held a brief consultation. When he was called back, Burghley informed him that they were unanimous in holding him free from all imputation. "And if in some trifles, and private matters of small moment, not appertaining to the Queen's Majesty, his lordship thought that his honour and reputation had been touched by the evil reports of any, he was required to think that the same was common to them and others, as well as to himself, in the world." However, if any persons could be particularly charged by his lordship, it was reasonable that they should be called upon to answer for what they had said.*

It is on the day after this scene was acted that Walsingham in writing to Sir Ralph Sadler says; "The Earl of Shrewsbury is very graciously used by her

* *Lodge*, II. 247—250.

Majesty, who is very desirous to compound the controversies between him and the lady his wife, a matter that will not be performed over easily."* On the 28th Shrewsbury himself writes to Sadler, that in regard to his return he can as yet tell him nothing certain, but that he hopes that the matter will be determined very soon.† Writing again two days after he states that he has been troubled with the sciatica, and not able to stir abroad for some days past, "in which," he says, "it did please her Highness to send me her physicians, and on Saturday last to visit me in person, to my great comfort." Sadler, he adds, will by this time probably have heard what has been resolved upon in regard to his continuance in the North.‡ In fact it had now been settled that the Earl should be released from the charge which had formed his occupation for so many years. Mary Stuart and he met no more, till in October 1586 he sat as one of her judges when she was brought to trial for her life at Fotheringay. He not only joined his brother Commissioners in the sentence condemning her to die, but still further signalised his loyalty by writing to Burghley and urging the necessity of allowing the law to take its course.§ He was also in the following February a witness of her execution.

For the present the imprisoned Queen remains at Winfield. Thence she writes on the 18th of October both to Elizabeth and to Mauvissière, reiterating her demand for satisfaction in the matter of the reports spread, as she asserts, by the Countess. She begs the

* *Sadler Papers, by Clifford*, III. 158.
† *Ibid.* 165. ‡ *Ibid.* 166. § *Murdin*, 572.

ambassador to allow her ladyship, then at court, no more time to play her game of deceit and intrigue, but to insist that she and her two sons, Charles and William Cavendish, shall at once be subjected to examination, either publicly, or at least before the Council, and of course in his presence, in order that they may either maintain and prove what they have said, or, retracting their lies, may be exemplarily punished, as reason and justice require. Of the two sons Charles is afterwards spoken of as the most guilty. To convict him and his mother she demands that their own servants and those of the Earl may be charged to tell the truth upon their faith and their allegiance; for otherwise she knows too well that there is no one of them whom she should ever be able to bring to declare what they know. The said servants, usually employed in the house, she proposes, should be asked whether they have not overheard the Countess reproaching her husband in their bed-chamber with what the reports in question alleged; and she desires that the Earl himself may be put to his oath upon that point. Moreover she would have a groom (*palfrenier*) of Lord Talbot's questioned as to whether, when he was some months ago at Chatsworth, he had not, particularly once at breakfast, heard her spoken of under the name of the *Dame du Batz*.* Violante de Bats was a lady who had a short time before this been condemned to death and executed, for adultery and the murder of her husband, at Toulouse.†

* *Labanoff*, VI. 39.

† This I learn from the notes to an article in *Bayle* on Guillaume de Segla, a Counsellor of Toulouse, who published an account of the affair

Two days after this, addressing herself to Walsingham, she does her best to gain over that minister from any sympathy for the object of her hatred and thirst of revenge. She asks him to suspend his judgment in regard to any thing that the Countess may do or say till he has heard the particulars of what she has said about himself; "she has, speaking to me myself," continues Mary, "I assure you upon my faith and honour, charged you several times not only with mortal enmity towards me and my son, but with having attempted my life, by means and persons that she has specified, or rather, as I must suppose, invented." She hopes that Walsingham's prudence will incline him to extend much more of his confidence and favour to her entire sincerity than to "the false practices of a woman so practised in the wickednesses of every age."* A letter of Sadler's to Walsingham of the same date, written, as is stated, "at her earnest request," conveys

in a work entitled *Histoire Tragique*, 8vo, Paris, 1613. I have not been able to find Segla's work; but, as Bayle also indicates, the story is told at full length in the First Volume of the *Mercure François*, 12mo, Paris, 1611; *fol.* 325—332. Two things, however, deserve to be noticed:—1. While Bayle, apparently on the authority of Segla, designates the lady Violante de Bats, and describes her as of Spanish birth, the *Mercure* has no mention of the name of *Bats*, but calls her Violante du Chastenau, a Portuguese, and makes her to have been married to one Romain, an advocate of the town of Gimont, eight leagues from Toulouse. 2. According to Bayle, who, besides entering into some reasoning on the point, seems here again to have the authority of Segla, the crime committed by Madame de Bats and her confederates (the assassination of her husband by seventeen strokes of a poniard) took place in July 1608, and her execution in February 1609. The *Mercure* also tells the story under the year 1609. Nevertheless, in the letter quoted in the text we have it referred to by Mary Stuart in October 1584. Thus will history sometimes baffle the most careful and critical investigation.

* *Labanoff*, VI. 43.

a strong expression of her impatience to have justice done in regard to the Countess.* She had laid herself out to make a favourable impression upon Sadler, and had to a certain extent succeeded, although the employment upon which he had been put was one which he greatly disliked and longed to be released from.†

* *Sadler*, III. 179, 180.

† "I assure your Majesty, on my fidelity to your Highness," Sir Ralph writes to Elizabeth in December of this year, "that I do find myself most unable to endure this life which I lead in this service, trusting that therefore your Majesty will the sooner release me of the same, according to your most gracious promise; so that now, in mine old days, for the short time I have to live in this world, I may serve God and your Majesty at mine own home, with such rest and quietness as mine old years do require." (*State Papers*, III. 219). Again in March of the following year writing to Walsingham from Tutbury he says;—"I would to God some other had the charge that would use it with more discretion than I can; for I assure you I am so weary of it, that, if it were not more for that I would do nothing that should offend her Majesty than for fear of any punishment, I would come home and yield myself to be a prisoner in the Tower all the days of my life rather than I would attend any longer here upon this charge." He had alarmed and offended Elizabeth by having allowed his prisoner to go out a hawking with him. "The truth is," he says, "that, when I came hither, finding this country commodious and meet for the sport, which I have always delighted in, I sent home for my hawks and falconers, wherewith to pass this miserable life which I lead here; and when they came hither I took the commodity of them sometimes here abroad not far from this castle; whereof this Queen hearing earnestly entreated me that she might go abroad with me to see my hawks fly, a pastime indeed which she hath singular delight in; and I, thinking that it could not be ill taken, assented unto her desire, and so hath she been abroad with me three or four times hawking upon the rivers here, sometime a mile, sometime two miles, but not past three miles when she was furthest from this castle." He had always on such occasions had her guarded to the utmost of his means, and he saw no reason for apprehension so long as the surrounding country remained in its present quiet state. But if it were otherwise, it was not twenty or thirty soldiers, with their halberts and harquebusses, nor the small power he had at his command, nor yet the strength of the castle, which God

Whether there was much or any real foundation for this vehement and persevering outcry on the part of the Scottish Queen may after all be doubted. Fuller, indeed, reports that, when the Countess of Shrewsbury, on coming up to Court, was asked by Elizabeth how her charge did, she replied, "Madam, she cannot do ill while she is with my husband; and I begin to grow jealous, they are so great together." * These words, if they were really spoken, would rather show that her ladyship neither had nor pretended to have any serious feeling on the subject. The fact appears to be that to any one who knew the staid and precise Earl, now between sixty and seventy years of age, and quite broken up in constitution,† the notion of an amour between him and Mary Stuart could suggest itself only as an absurdity and a joke.

It was some time before even the Earl himself could be roused by Mary to any warmth of indignation against his wife on account of this matter; we have

knew was very weak, that could defend them. "If I had known," he goes on, "when I came from home I should have tarried here so long, contrary to all promises made unto me, I would have refused, as others do, and have yielded to any punishment rather than I would have accepted this charge; for a greater punishment cannot be ministered unto me than to force me to remain here in this sort, being more meet now, in mine old and later days, to rest at home, to prepare myself to leave and go out of the miseries and afflictions whereunto we are subject in this life, and to seek the everlasting quietness of the life to come, which the Lord Almighty grant unto us when it shall be his good pleasure. And if it might light on me to-morrow I would think myself most happy, for I assure you I am weary of this life." (*Ibid.* 297).

* *Worthies*, I. 377.

† Mary herself remarked to Sadler in one of their conversations, that for divers winters past his lordship had been constrained to keep his chamber and bed for gout or other sickness.—*State Papers*, III. 171.

seen how she complains in the spring of this year 1584 that he had not exerted himself as she thought he ought to have done to vindicate her reputation and his own. Mauvissière, in a letter to the Scottish Queen, written apparently a short time before the Countess had come up to Court, states, on the information of Leicester, that she and her husband were then writing both of them the most scandalous stories of one another, "by which," he adds, "your Majesty is brought into trouble;"* but his meaning must be merely that Mary's interests ran some danger of being compromised by the state in which matters were between the Earl and his wife: as Leicester had told Gilbert Talbot some years before,† it might frighten Elizabeth into transferring her to another keeper, a possibility which she had good reason to contemplate with apprehension and aversion. Shrewsbury's complaints against his wife, at least, could not affect Mary in any more particular sense. In fact the quarrel between the two at this date ran all upon money matters and their respective rights of property. In a letter to Elizabeth, dated the 4th of March 1584, the Earl, acknowledging that himself and all that is or may be his, rests at her Majesty's commandment, expresses his trust, nevertheless, that in respect of his faithful service she will have that gracious consideration for him, that, forasmuch as his wife hath abused him, and now in the time of his sickness hath most impudently and audaciously braved him, he shall not be forced to make any concession to her demands that shall prejudice his

* *Von Raumer, Mod. Hist.* 259.

† See *supra, p.* 181.

rights, and besides give occasion to the world (which through her and her ministers, or instruments, was become apt enough to believe the most slanderous and untrue reports spread by them against him, and that very recently) to conceive an opinion that he had unadvisedly and dishonourably entered into that which he could not laudably maintain and justify. "The value," he says, "though it be great, I do not respect so much as mine honour, whereof I make more account than of life or goods." Afterwards he observes:—"It is evident she respecteth only her two younger sons, and neglecteth her eldest, Henry Cavendish, who hath married with my daughter, whom, most unnaturally, for my sake she seeketh more to spoil than to help. It behoveth me, therefore, to have the more care of him and my daughter, whereof I hope your Highness will not dislike, being one that both hath and will be ready to adventure his life and all he hath in your Highness' service, and is, I am sure, better able to serve you than both his brethren." * From another letter of his lordship's to Walsingham of the same date, it appears that the case was to be argued before certain of the Judges;† but it is not till after several written statements and answers have passed between the parties ‡ that, on the 22nd of December, we have Walsingham writing to the Lord Chancellor to inform him that her Majesty had directed it to be heard by his Lordship and the two Chief Justices. Walsingham describes it as "a matter of controversy between my Lord of Shrewsbury and my

* *Lansdowne MS.* 40; *No.* 48. † *Ibid.*; *No.* 49.
‡ *Ibid. Nos.* 52, 53, 54, 56, 57, 63, 64, 65.

Lady his wife about a certain deed of gift made by [to ?] Sir Charles Cavendish and William Cavendish his brother, of all such lands and goods as either in right of jointure or otherwise do appertain to my Lady of Shrewsbury; upon all which lands and goods entry is made by my Lord of Shrewsbury, for that, as is said, there was no execution of the said deed of gift."* The Earl had in other days made over to his wife and her sons the lands she had acquired by her former marriages, or part of them, and now sought to resume possession of what he had so parted with, by availing himself of some technical informality. He excused himself on the plea of the ungrateful and undutiful conduct with which they had requited his bounty.

The issue of this dispute may in part be collected from various letters and other documents which Lodge has printed or indicated. The most material is an answer by the Earl to a communication which he had received from Leicester in the end of April 1585. By this time, it appears, he had established himself in a house he had at Chelsea; since his coming to which place, he says, he had not been well, and had consequently been unable to return so speedy an answer to Leicester as he would have wished. Her Majesty, he observes, had now declared her mind in the matter betwixt him and his wife, and her confident expectation that he would conform in every respect to what she had set down, directing moreover the Lord Chancellor to take order with him for the accomplishment thereof. "Well weighing," he proceeds, "her Majesty's hard censure of me and

* *Lansdowne MS.* 40; *No.* 55.

my causes . . . , as her Majesty doth demand and look for at my hands faith and due obedience, as is the duty of every good subject to spend lands and life in the defence of her Majesty's person and realm, which I and my ancestors have done, and am ready at her Highness's commandment, so, for the maintenance of my honour and credit, do I claim and demand of her Majesty justice, and benefit of her Majesty's laws, never denied by her Majesty, nor by any her noble progenitors, to any the meanest her subject before this." He does not doubt that when her Majesty shall have thoroughly weighed the cause she will have more consideration for him. If she will bestow nothing on him for all his careful and painful service, to his great charges above his allowance, in the keeping of the Scottish Queen for these sixteen years,—besides the extraordinary expenses of maintaining Sir Ralph Sadler, and other Commissioners, their horses and men, so long as they continued with him—he ever thought she would at least have left him with what her laws had given him. For the present, however, he will submit. "Since," he continues, "that her Majesty hath set down this hard sentence against me, to my perpetual infamy and dishonour, to be ruled and overran by my wife, so bad and wicked a woman, yet her Majesty shall see that I will obey her commandment, though no curse or plague in the earth could be more grievous to me." Still he thinks the offers of his wife, as inclosed in Leicester's letter, very unfit to be proposed to him. "It is too much," he says, "to make me my wife's prisoner, and set me down the demesnes of Chatsworth, without

the house and other lands leased, which is but a pension in money. I think it stands with reason that I should choose the 500*l.* by year ordered by her Majesty where I like best." Otherwise he will think himself doubly wronged, which is what he is sure her Majesty would not wish him to be.* Nevertheless, on this point also the Earl probably had to yield. Among the unpublished Talbot Papers is a "Note of the lands made over to the Earl of Shrewsbury by the Countess for the payment of an annuity of 500*l.* from the estate of Chatsworth, as settled by the Queen's arbitration, 1585."†

Meanwhile, the other matter, of the calumnies alleged to have been spread abroad by the Countess and her sons about the Earl and the Scottish Queen, had not slept. At last the Earl had been induced to stir in it, though rather, as it would appear, by his servants, or agents, than personally, and with a zeal much inferior

* *Lodge*, II. 262—264.

† *Lodge, Talbot Papers*, 53. To this period must be referred certain letters mentioned by Miss L. S. Costello in her *Memoirs of Eminent Englishwomen*, I. 102—105. The first is one stated to have been written by the Earl of Shrewsbury to Queen Elizabeth from Chelsea after he had somewhat recovered from his illness. In this, we are told, after "proclaiming the arts of the Countess to gain possession of his estates and revenues for the benefit of her children, he plainly confesses that at their marriage he was weak enough to give her promises, which he nevertheless neither imagined nor feared that she would take advantage of; as, of course, he did not intend that either she or her children were to dispossess him during his or her life." The second is her Majesty's reply, which is described as "rather a sharp letter, reproaching him for wishing to put away his wife for no fault, and of [with] taking advantage of some informality in law by which he hoped to deprive her of her just dues, and to prevent her enjoying all that his former promises had led her to expect." Elizabeth, it is added, "concludes by commanding him to be content with her award, which is that he should receive a pittance

to what he showed in defending his rights of property against his wife. He could hardly fail to feel the ridiculousness of the appearance he made by taking up such a matter seriously. However, in the beginning of October 1584, as we learn from one of the Recorder Fleetwood's letters to Burghley, Fleetwood was applied to at the Middlesex sessions by Baldwin, whom he calls "my Lord of Shrewsbury's gent," and another of the Earl's servants, to suffer them to indict one Walmesley, an inn-keeper at Islington, for "scandilation" of their master, inasmuch as the said Walmesley had one day asserted openly to a company whom he was entertaining at dinner that the Scottish Queen had borne a child to the Earl, and that he knew where the child was christened. Among the witnesses produced before the Grand Jury, Fleetwood goes on to state, was "one Meredith Hanmer, a Doctor of Divinity, and Vicar of

of five hundred a year out of his own estates, and leave off troubling her or his wife." The third letter is headed "The Earl to Secretary Walsingham, during the cause pending between him and his wife," and is given in the original words, with some omissions. This would rather seem to have been written before the others. The Earl speaks of having delivered in an estimate of his wife's lands, specifying both those that she had purchased since he married her, and those which were not his gift and of which he claimed no part, as also those of Barlow, Cavendish, and St. Loe, which he held to be his during his life by the laws of the realm. He wishes the Judges to give their opinion of the right, and he intimates that he will stand by their award. As for his wife, or his *enemy* as he designates her, "I will not," he says, "disquiet her of anything is hers, but, in all I may, will defend and maintain my right and innocent cause against her and her children." Miss Costello does not tell us where she finds these letters; if they have any dates, she does not give them; and this visit of the Earl to Chelsea is not introduced in her narrative till after other letters have been given which were written subsequently to his return to the country.

Islington, who had dealt as lewdly towards my Lord in speeches as did the other" (that is, Walmesley). "This divine," it is added, "regardeth not an oath; surely he is a very bad man." He seems to have given such a turn to his evidence as tended to damage the indictment. However, a true bill was found;* though what was the final result is not noted.

Whether Mauvissière had done any thing in compliance with Mary's urgent and repeated instigations does not appear; but in the end of November Walsingham mentions in a letter to Sadler that Nau, her Secretary, had the day before had a conference with some of the Lords of the Council, when, among other things, he requested that my Lady of Shrewsbury and her two sons might, in the presence of the French ambassador, himself, and some of the Council, openly confess the falsehood of the imputations that had been made against his mistress affecting her life and honour.† It was probably in consequence of this demand that an investigation took place, of which some notes are preserved in the handwriting of Lord Burghley. According to these the Countess and her sons were asked whether they either knew or ever had reported that the Earl of Shrewsbury had ever had any children by the Scottish Queen. The paper has been referred to as recording their admission that, although they did not believe this charge, they had yet repeated it as

* *Wright*, II. 241. Strype (*Ann. of Ref.*, Vol. III. Part I. p. 312) by a droll mistake makes it to have been not the Queen of Scots but Elizabeth (now beyond fifty) who was reported to have borne a child to the Earl.

† *Sadler*, III. 215.

a report;* but the answer of the Countess, as therein stated, is that "One Wharton did first report it, but she never did know nor ever thought that to be true, nor ever did report it;" and the answer of her son Charles is, "He doth neither think it, nor knoweth it, nor ever reported it: he had heard it a year past, as that the French ambassador had it from the Spanish ambassador."† This agrees with the record preserved in the *State Paper Office* of what is called the Declaration made by the Countess and her two younger sons; which is, in substance, that they had no knowledge of the Queen of Scotts having ever had a child at all since she had been in England, or of her having deported herself otherwise than as a Queen and princess of her quality ought to have done, in all honour and chastity; that they had never, either secretly or otherwise, in any manner nor to any person whosoever, either spoken or caused to be spoken, directly or indirectly, any thing against the honour of the said Queen in that matter; and that they held all the reports upon the subject to be false and scandalous lies, and protested that they had had no part either in inventing or propagating such calumnies. This testimony, agreeing with that which they had already delivered before the Lords of the Council, they solemnly swear to be true, on their faith towards God and allegiance towards their sovereign, offering to maintain it in every way and against all gainsayers, wheresoever called upon.‡

* *Raumer, Mod. Hist.* 283. † *Lans. MS.* 40; *No.* 62.

‡ *Labanoff*, VII. 168. I am not aware that the paper had been

It is remarkable that, all this having taken place in December 1584, the first notice we find of it in the correspondence of the Queen of Scots is under the date of May 1586. Writing on the 18th of that month from Chartley to one of her agents named Liggons, she says; "The Countess of Shrewsbury, I thank God, hath been tried, and found to her shame, in her attempt against me, the same woman indeed that many have had opinion she was, and at the request of my Secretary Nau, he being at the Queen of England's Court in the month of December eighty-four, the said lady upon her knees, in presence of the Queen of England and some principals of her Council, denied to her the shameful bruits by herself spread abroad against me." * In the beginning of her letter Mary states that she had, only within the last month, received two letters from Liggons dated in September and December 1584, "having never," she adds, "had any certain word nor intelligence from any man, until your foresaid came, of any foreign affairs, nor yet can [know?] of what recently falleth out either in this country or other." From whom she had got her high-coloured account of the examination of the Countess she does not say. She relates the story in a similar

printed before, although it has been often referred to, and sometimes as containing a confession on the part of the Countess and her sons of their being guilty of having spread the calumnious reports. It is only a copy, though in a handwriting of the time; and, from its being in French, one might suspect it to be a translation. It has neither date nor signatures; and the heading, "Memoire pour ce que la Comtesse de Shrewsbury et ces deux filz puisnez ont declaré," would almost seem to imply that it was drawn up before the attestation had been formally executed.

* *Labanoff*, VI. 305.

style to Bethune, Archbishop of Glasgow, on the same day.*

The Earl of Shrewsbury had returned to the North in July 1585, but the Countess still remained in town. In the end of August Henry Talbot writes to his father; "As touching your wife's causes, she lieth still in Chancery Lane, and doth give out that she meaneth to continue there, and not to go into the country. My Lord my brother's wife, and her brother the Knight [Sir Charles Cavendish], do attend very diligently at Court, and little respect there is had of them; nevertheless, they cease not to follow, to the end the world may say they are in credit."† Having been himself at Court two days before, Henry at the same time declares, he had found his father in high favour with her Majesty. "She doth marvel greatly," he says, "that she hath received but one letter from your lordship since your going down. Moreover, she herself told me that she marvelled she heard no oftener from you, whom it pleased [her] to term her love, declaring further what care she had of your health, and what a trouble your sickness was unto her." Some doubts, nevertheless, may be entertained as to the perfect correctness of this intelligence, or at least of the inference drawn by the writer from her Majesty's fine speeches, which at any rate were likely to be received by the Earl as but an indifferent compensation for her late adverse award. In about two months from this we have his lordship complaining to Burghley, that ever since his coming into the country his wife and

* *Labanoff*, VI. 299.

† *Lodge*, II. 272.

children have not ceased to report most slanderously of him to her Majesty, till at length they had induced both her and Walsingham to write to him. The rest of the letter shows how cordial his dislike to his wife had now become. "My Lord," he writes, "she makes all means she can to be with me, and her children to have her living, whereunto I will never agree, for if I have the one I will have the other;"—that is to say, he is willing to take her back, but upon one condition, namely, that he shall get back her lands and rents along with her. This, he says, had been thought reasonable by both the Chancellor and Leicester. But by her letters, he complains, she desires to come to him herself, without saying a word of her living. "I have been much troubled with her," he adds, "and almost never quiet to satisfy her greedy appetite for money to pay for her purchases to set up her children; besides the danger I have lived in, to be compassed daily with those that most maliciously hated me, that, if I were out of the way, presently they might be in my place. It were better we lived as we do, for in truth I cannot away with her children, but have them in jealousy; for till Francis Talbot's death she and her children sought my favour, but since those times they have sought for themselves and never for me."*

Miss Costello gives a letter from the Earl to his wife dated the same day, the 23rd of October. It appears to be in answer to one he had received from her asking him to allow her to return to him. It begins thus:—"The offences and faults which you have committed

* *Lodge*, II. 274.

against me, which no good wife would do, are admonitions sufficient for all men to be advised in their marriage; and, though you desire to be charged particularly, to the end you may know your faults, I need not express them; they are manifest to the world; and, if I would hide them, your behaviour and conditions have laid them open. There cannot be any wife more forgetful of her duty and less careful to please her husband than you have been; nor any more bounden nor hath received greater benefits by her husband than you. The particulars I will not express, but do leave them to the time that God will send you his grace to make you confess them. In that I loved you, I did many good things for you and was loth that the world should see your behaviour. It may be judged that I would still so have continued, if you had not sought all means, both at home and abroad, to offend me. There needs not many words; I have seen thoroughly into your devices and designs; your insatiable and greedy appetite did bewray you. Your own living at my hands would not content you, nor yet a great part of mine which for my quietness I would have been content to have given you; but this was short of the mark you shot at, and yet do. Your fair words are no bait for me; they have the show and taste they have had, and, though they appear beautiful, yet they are mixed with a hidden poison." For himself, he says, he is now quite satisfied to stand upon her Majesty's order, though it seemed hard at first; and his wife must also be satisfied with what has been thereby assigned to her for her maintenance and the payment of her debts; it is a

great portion, and none of her calling hath the like. She had been ever in misery, or want of money, but yet sufficiently furnished to buy lands for her children. Now she wants the means of paying for her purchases, and shall want the help she sues for. "I enforce not your children," he goes on, "to sell lands, but, if your wilfulness and their pride be such as cannot be maintained without sale of your land, I do not rejoice at it, nor assuredly I am not sorry for it." He wonders at her pretended earnestness to be with him; but in regard to that he has only to answer her, as he has before answered the Chancellor and Leicester, that she and her living, or income, must be held inseparable: "If ever I think good to take you again (for you went away voluntarily, not turned away by me as you say, and, when I sent for you, you said I should send twice for you ere you would come), I will have both together, without any exception or signification of your part or of mine." It is interesting to see with what obstinacy the old man clings to his one idea. He concludes as follows:—"The malicious minds that your children do bear me I cannot away withal. It cannot be but you must favour your children; therefore how dangerous it were for me to be compassed about with you and them, where, after me, you shall leap into my seat, the most ignorant may judge. And here I end; protesting before the Almighty God that I do not this for any malice, but that in my old age I desire my security and quietness, and would not have it troubled during my life."* A short note to Burghley dated about a fort-

* *Miss Costello*, I. 105—107.

night later conveys renewed complaints and deprecations from the unhappy Earl of the untrue surmises daily invented of him by his wife and his children, or her imps, as he calls them, whom he knows, he says, to be his mortal enemies.*

But, whatever was her motive or object, it was not only with her husband that the Countess now sought to make up matters, if we may believe what is asserted. She is affirmed to have also made overtures of reconciliation to her old friend the Scottish Queen. In her letter of the 18th of May 1586 to Archbishop Bethune, which has been already quoted, Mary says that she had by that time been reduced to the point of coming back to her, confessing her misconduct and her ingratitude, and praying forgiveness.† This is probably a highly exaggerated representation of the fact, of which we may perhaps gather a more correct notion from another letter written by her Majesty, on the last day of the same month, to the new French ambassador, M. de Chateauneuf, to whom she says;—"As for the message of the Countess of Shrewsbury, I consider it to be nothing more than an artifice of hers to discover indirectly if you have any secret correspondence with me, whether you should engage to communicate the said message to me, which they might well suppose you would not do through M. Walsingham, or whether you should return any answer to it on my part, which they would equally perceive that you could not have had by the ordinary way. And, for that matter, I am of opinion that, if they apply to you again about this

* *Lodge*, II. 275. † *Labanoff*, VI. 299.

reconciliation, you should answer merely, that, there having passed between the Countess and myself occasions of enmity of such magnitude and importance, you would not be disposed to undertake to convey to me any proposals for a reconciliation without some solid and very express assurance and proof of the repentance of the said Countess; whereupon you will desire that she enter into particulars, and will try to get out of her as much as you can, promising her nothing more except only to advertise me of every thing by the first opportunity, and to do whatever may lie in your power to promote our reconciliation. But I will not conceal from you my having made up my mind beforehand that her exceeding ingratitude and the lengths to which she has gone against me do not permit me with my honour (which I hold dearer than all the greatness in the world) ever to have any thing more to do with so wicked a woman."* The reconciliation of the two ladies could hardly be more difficult than that of these two statements by Mary of the same affair, addressed the one to a person ignorant of, the other to a person cognizant of, the real facts.

We now come to another series of letters given by Miss Costello, as before without any indication or hint of where she has got them. The Earl of Shrewsbury has again come to Court and taken up his abode at Chelsea, whence, on the 15th of June 1586, he writes to Walsingham. He begins somewhat abruptly, telling the Secretary, who he is glad to hear will be shortly at the Court, that he hopes to find him there a favourer of

* *Labanoff*, VI. 343.

justice. He knows very well, he goes on to say, that Walsingham has hitherto favoured his wife in her cause; but, now that she has so openly manifested her devilish disposition in maintaining and defending her wicked servant Beresford in practising her husband's utter ruin and destruction, and the defamation of his house and name, by the false and detestable slanders of which he has lately been convicted, he trusts that the Secretary, as a man of honour and conscience, will not only leave her to herself, but join in making suit to her Majesty that she may receive due punishment, "and be banished the Court, as a woman not fit for that honourable place." She may with her money buy some to take her part; but to any one who may do so he wishes no other revenge than to have himself such a wife. To speak for such a person, or in such a cause, would be against the very law of nature. He is grieved and ashamed to think of his choice made of such a creature. He prays Walsingham to advise his son Gilbert Talbot, whom he knows he loves, "to leave that wicked woman's company, who otherwise will be his destruction;" to himself Gilbert's reformation will bring as much joy as that of the child of whom the Scripture makes mention. "Thus, good Mr. Secretary," he concludes, "I seek nothing but justice; and in honour it ought not to be denied me in such a cause, which, if it should go unpunished, the example were too perilous, for it may encourage other strong-hearted women to do the like; from which God deliver all good men, and send you as well as I wish myself."* Walsingham's

* *Miss Costello*, I. 108, 109.

reply to this tirade is dated from the Court, two days later. Its tone is calm and respectful, but perfectly firm. He assures the Earl that he had never favoured the cause of the Countess otherwise than as it stood with justice, and became an honest man to do. As for Beresford, he can testify that in what that person had said to himself there was nothing with which the Earl had cause to be offended. Beresford had, it appears, been brought up and convicted at the assizes at York; but Walsingham plainly tells the Earl that he had heard the composition of the jury had been far from fair; "and it is no new matter," he adds, "in this time to find great partiality in jurors, who are too often compacted to serve turns." As for my Lord Talbot, he always has loved him for his great parts and good qualities, and he is sure he is one who would never give any just offence to his father; but he is sorry "this age and time hath so many ill-disposed persons that study to make strife and division between man and wife." In a postscript the Secretary rather sharply subjoins:—"I hope your lordship doth not mean that I am one of the number of those that are drawn in respect of money to favour the Countess your wife."*

The Earl, however, does not abandon his object. He next applies to Elizabeth herself. His address to her Majesty is dated from Chelsea the 7th of July. He declares that the greatness of his grief for the unkindnesses that have been offered to him suffers him not to take any rest. Nor can he even come to the Court, seeing that his mortal enemy Henry Beresford

* *Miss Costello*, I. 109—111.

is not only still countenanced and favoured by his wife and her children, but has even been boldly brought by the Countess into her Majesty's presence; since which he has had the audacity to repair to his, the Earl's, gates, and there in brave speeches to justify himself against his late conviction at law. This he had done only to provoke him and his men to a breach of the peace, from which however by the mighty power of God they had happily been withheld. His most humble suit now is, that, considering his wife is a woman wholly given to revenge, and to the working of her malice upon him and his, and one who will not cease to travail therein with all earnestness and cunning, and continually to study nothing else but to work his dishonour and overthrow, her Majesty will be so far his good and gracious lady as to leave him and his malicious enemy to the laws, and to be henceforth indifferent betwixt them till their controversy shall be legally decided. For, considering the course of conduct she and her children have lately pursued towards him, he cannot yield any further than he has already done, nor would he have ever conceded so much but only for her Majesty's sake. He beseeches her Majesty to take this for his "resolute answer," that is, the determination to which he is resolved to adhere.*

His lordship, it was not to be denied, had the law on his side; and accordingly the effect of this appeal, we are told, was to bring an immediate answer from Walsingham, informing him that he had received her Majesty's commands for the imprisonment of Beresford,

* *Miss Costello*, I. 111—113.

and also that his suit against his wife was going on in way he would wish.* In these circumstances the Countess appears to have altered her course, and to have sought Elizabeth's mediation with her husband. It may have been about this time that the Earl wrote to his son Gilbert, "offering to admit the Countess into his house, but refusing to see Lady Talbot." † For all the bitterness or vehemence of his language, the old man was probably at heart less alienated from his wife, whom he had once loved, than he was from her daughter, who had never, as far as appears, been much an object of his affection, and whom he looked upon as the chief cause of division between himself and his favourite son, and as besides by her extravagance threatening to ruin that son, the heir of his noble house. The Countess, too, we may be sure, would not be wanting in any of the dexterity required to compass her object, when she set herself about it. That some form of arrangement had been effected appears from a letter of her ladyship's, which Miss Costello gives as bearing the endorsement of the 11th of August 1586. It is written from Richmond, and is in answer to one from the Earl. "My Lord," she begins, "I hold myself most unfortunate that upon so slight occasion it pleaseth you to write in this form to me; for what new offence is committed since her Majesty reconciled us?" Then after a few words about "the denial of the plate," which she speaks of as a trifle that ought not to produce such unkindness, and a matter that she herself would not

* *Miss Costello*, I. 114.

† *Lodge, Talbot Papers*, 54. The date is only "*Chelsea, Wednesday*, 1586."

stand upon if her state, or circumstances, were better, and a remark about some proposition that had been made by the Earl touching her son's living, she proceeds:—"My Lord, I know not how justly you can term me insatiable in my desire of gaining, for my losses have been so great, with my charges, that makes me desire honestly to discharge my debt with my children's lands, which you have no need of, and will not in my time discharge them though we should live on nothing; and I am greedy of nobody's lands, but would keep the rest, which by all law, order, and conscience, they ought to possess." Her intention, she assures him, is not to molest or grieve his lordship with demands; she demands nothing, for she desires only what her Majesty's order has assigned to her, and wishes his happy days to be many and good. He seems to have charged her with a design to keep him in town, after it had been settled that they should go home together. "Touching the postscript," she says, "my desire hath been to be with you and save your long delays, that made me an humble suitor to her Majesty to be earnest with you, but not as you write. For the other, that I labour your stay, I assure you, my lord, I did not, but yet would be very glad that all were perfected here, and then to go down with you, and hoped also ere this we should have been on our way into the country." "So," she concludes, "beseeching Almighty God to make you better conceive of me, I end, wishing myself, without offence, with you;" and she subscribes herself his Obedient Faithful Wife.*

Miss Costello, I. 114, 115.

After all they appear to have both actually gone back to the North; and, though they did not venture at once upon the bold experiment of taking up their abode again under the same roof, to have resumed a certain degree of amicable intercourse. So much we may gather from a letter written by Walsingham to the Earl not long after this, in which he says:—"I declared unto her Majesty your lordship being at Winfield to visit your wife, which had been before reported to her; whereof she showed very good liking for your lordship's satisfying her request therein, and wished that it might please God so to dispose your heart that the former good love between you might be renewed." * A consummation, however, rather to be desired than hoped for.

But for the moment, at any rate, there was a semblance of peace—the peace of weariness and exhaustion, probably on both sides, if nothing better. During this

* *Miss Costello*, I. 116.—It seems most probable that these letters given by Miss Costello are derived from the "MS. History of George Earl of Shrewsbury, by Nathaniel Johnston, M.D.," which she elsewhere (I. 13) quotes or refers to as being in the possession of His Grace the Duke of Devonshire. And this biographer of the Earl is no doubt the physician of Pontefract of that name, by whom in the latter part of the seventeenth century were arranged and caused to be bound up the Fifteen Volumes of what are called the *Talbot Papers*, now in the College of Arms, whence Mr. Lodge has extracted the principal portion of the letters forming his "Illustrations of British History." (See his *Introduction*, p. 20.) If the letters published by Miss Costello are taken from the Life of the Earl of Shrewsbury by this person, he must have abstracted them from the collection thus entrusted to his care. We cannot place perfect faith in all his descriptive or explanatory additions to his originals. "The Talbot Manuscripts," says Mr. Lodge, "are most confusedly arranged; and the dates, and even the signatures, are frequently mis-stated in the endorsements, which are written by Doctor Johnston."

truce a proceeding took place which would rather indicate that even by his own family the Earl was now looked upon as somewhat broken down in mind as well as in body. In his list of the *Unpublished Papers in the Talbot Collection* Mr. Lodge enumerates one dated the 9th of September 1586, under the title of "Articles between the Earl of Shrewsbury and his three sons, whereby he agrees to give up to them all his estates, except Sheffield Castle and its demesnes, to be held by them during his pleasure."* From Mr. Hunter's more precise account, however, it would appear that this was only a proposition made to the Earl by his sons. It seems never to have been actually executed. He was to retain the Castle, Lodge, and Park of Sheffield, with the neighbouring small house and domain of Hansworth—mere places of residence, producing no revenue; out of the rest of his property they were to pay him an income of 10,000*l.* a year. The proposal, it seems, is accompanied by an estimate of the value of his lordship's various lands; according to which those in Yorkshire are made to be worth 3000*l.* a year; those in Nottinghamshire, 1500*l.*; those in Derbyshire, 2000*l.*; those in Shropshire, 2000*l.*; those in Staffordshire, 500*l.*; those in Herefordshire, 800*l.*; those in Oxfordshire, 200*l.*; and those in Cheshire, 70*l.* But this is evidently a statement drawn up to square with the offer of the 10,000*l.* a year for the whole,—though even as here set down the actual rental or annual produce of the estates somewhat exceeds that sum. And, as Mr. Hunter remarks, the Earl, besides his estates in the

* *Talbot Papers*, 54.

eight counties above enumerated, had considerable property in those of Middlesex, Wilts, Leicester, and Gloucester.*

The lull in the storm of the Earl's domestic troubles was but of brief duration; in a few months we find him once more embroiled as deeply as ever both with his wife and his eldest son. It appears to have been with the latter that the war was first renewed. The strange family correspondence exhibits the father writing very affectionately to the son in November 1586; he thanks him for offering to come to see him, and tells him what delight he takes in reading his letters;† and even in May 1587 he sends him his allowance before it is due.‡ But by another month a marked change has taken place. It is the old story, or, as the Earl would call it, the old song, again. He and his son have had a friendly meeting and parting; but the latter has since made an application to his father by letter, which the old man does not at all relish. "Son Gilbert," he replies from Sheffield Lodge on the 17th of June, " . . . . for any help about the payment of your debts, I do advise you rather to rely altogether upon yourself, and the best discharge you shall be able to make thereof, than any ways upon me; who, lest my silence in that behalf and at this time might breed some hope agreeable to your received opinion, do in sadness, as you did in jest, return you a short answer for your long warning; willing you either to provide for yourself as you may, or else be

* *Hallamshire*, 74. † *Lodge*, II. 293.
‡ *Lodge, Talbot Papers*, 55.

disappointed; for during my life I would not have you to expect any more at my hands than I have already allowed you, whereof I know you might live well, and clear from danger of any, as I did, if you had that government over your wife as her pomp and courtlike manner of life was some deal assuaged. And, for mine own part, and your good, I do wish you had but half so much to relieve your necessities as she and her mother have spent in seeking, through malice, mine overthrow and dishonour, and I in defending my just cause against them; by means of whose evil doings, together with other bargains wherein I have entangled myself of late, I am not able either to help you or store myself for any other purpose I shall take in hand these twelve months."* His lordship would fain, we see, make himself to have been reduced to poverty entirely by his wife's proceedings, if his conscience would allow him; but he cannot help admitting, before he ends his sentence, both that it is really his own bargains that have mainly absorbed his money, and also that, after all, his embarrassment amounts only to some danger that he may not be able to carry on his gainful financial speculations upon the same scale throughout the coming year.

But now a new personage comes forward upon the scene, from whom we shall have a more distinct account of the state of matters between the father and son than we have yet got at. Lord Talbot, unable himself to move the Earl, employs the intervention of his friend, Sir Henry Lee, famous for his self-assumed title of the

* *Lodge*, II. 303.

Queen's Champion, his somewhat fantastic and ostentatious gallantry, and other peculiarities of character and demeanour, as well as for his captivation of the fair Mistress Vavasour, but, with all his oddities, a person not only of high and punctilious honour, but of much general rightmindedness as well as shrewdness and good sense. He has had a long conference with the Earl at Worksop on his son's embarrassed affairs before the middle of July.* About three weeks later he repairs again to the old man at Sheffield, carrying with him a letter from Lord Talbot, to whom he immediately transmits a report of their interview. He found the Earl much eased of his gout, and very glad to see him. When dinner was done, every body rose except himself and his lordship. Sir Henry then delivered Lord Talbot's letter, and retired to the window, where he stood watching the Earl's countenance as he read it; which he did attentively, and then, Sir Henry proceeds, "rising from the board, with more colour in his cheeks than ordinary, he led me by the hand into his withdrawing chamber, where he told me he did well perceive the contents of your letter; that you had been long a disobedient child unto him; that you joined and practised against him, and with such as sought his overthrow, and, consequently, your own undoing, and the espials and parties you had in his house did show your care to be more for that he had than himself; but, withal, he knew you had many good parts, but those overruled by others that should be better governed by yourself." He went

* *Lodge, Talbot Papers*, 55.

on for some time longer in this strain, complaining, among other things, that more than 3000*l.* went out of his living every year to his children, and speaking with much emotion, before Sir Henry said anything. But when he saw "the storm was somewhat overthrown" he made his advances with great skill. First he got the Earl to own that his son's staying at court, against which he had inveighed in his passion, was with his own allowance, both of them having hoped that Lord Talbot might so manage to get himself joined with his father in his offices, or procure some honourable place for himself. Then he addressed himself to work at once upon the old man's affection and parental pride. Having hinted his dread of some desperate course that Talbot might be driven to in his total want of means to satisfy his creditors, he went on:—"You cannot be ignorant, for all your mislike, what a son you have; esteemed of the highest, favoured of the best and the best judgments, and how much he differs from other men's sons of your own condition." If by any extraordinary accident he should be taken away, with what grief would not his father's white head sink into the grave! And yet what was sooner made desperate than great faculties joined with a high and honourable spirit, which hardly could away with want and never with discredit? "This, my Lord," continues Sir Henry in his report, "sunk somewhat into him. He confessed much of this. He mused long, and spake little: he stayed, standing long, without complaining of his legs (by reason he was earnest), one hour and a half at the least before we parted. So, in many doubts, I left him." "I will

never take upon me to advise you," he adds, now employing upon the son the same adroitness by which he had so well succeeded for the moment in curbing and winding the father. "You see now what passed, and upon what grounds; therefore resolve, upon temperate blood, and good judgment, and free advice, for the time present; remembering both love and duty, and that you deal with a kind man." He could wish that Lord Talbot would suddenly, or without any announcement, make a journey down to Yorkshire to see his father; it is what the Earl could not but take well, and what at his age the other could do without any great exertion.*

But the favourable impression that seemed to have been made upon the Earl did not last. Instead of the visit recommended by Sir Henry Lee, his son deemed it best to write to him again through Sir Henry, who forwarded the letter accompanied by one from himself. In answer to this communication the Earl writes to Sir Henry on the 6th of September. Neither Sir Henry's eloquence, he says, nor his son's earnest desire shall persuade him to act otherwise than as he had previously upon good consideration determined to do. He will leave his son better off than he himself had been left by his father—which is a great deal more than his conduct has deserved. Nor will he increase his present allowance; it is larger than he himself had when he bore the same name. If his son cannot live on it, it can only be because he is ruled by his wife, whatever he may say to the contrary.† A few

* *Lodge*, II. 303—308. † *Ibid.* 307.

days after this, accordingly, he writes to Lord Talbot telling him that he despairs of reconciling him and his father, and makes him an offer of his own purse.*

The attempt, nevertheless, was resumed after a short interval. Sir Henry had another conference with the Earl in the early part of October, in which he is noted to have displayed much ingenuity.† This time he appears to have produced some effect. Our next notice of father and son is under date of July 1588, when the Earl writes to Lord Talbot that he will be glad to see him at Sheffield the next day, but desires him not to bring his wife.‡ In October following we have the old man applying to Burghley for his interest with the Queen in support of a request he had made to her Majesty that his son might have the reversion of his several patent offices.§ It took nearly a twelvemonth to carry this suit, although it was backed both by Burghley and Walsingham;‖ it was Elizabeth's delight, as well as policy, always in such cases to protract expectation and dependence as long as she could. Meanwhile the terms on which the father and son had come to stand may be seen from a dutiful and grateful letter of Gilbert's to the Earl in May 1589, in which the "most humble and obedient loving son," as he subscribes himself, declares that he will on his knees beseech his lordship's daily blessing, and ever pray to God Almighty to preserve him in most perfect health, honour, and long life.¶

* *Lodge, Talbot Papers*, 55. † *Ibid.* ‡ *Ibid.* 56.
§ *Ibid.* ‖ *Lodge*, II. 372; and *Talbot Papers*, 61.
¶ *Lodge*, II., 367—371.

All this while we hear nothing of the Countess. It is not till February 1590 that she makes her next appearance in a letter to the Earl from an anonymous London correspondent, a general news-collector, subscribing himself "your Honour's most humble and faithful poor friend at commandment," who thus introduces her, as it were parenthetically, in the midst of his public intelligence, domestic and foreign:—"I do learn amongst those who have trust with my lady your wife, she doth purpose to spend the next summer at and about London. My Lord, if you could find the means she might bring all her train with her, young and old, and, in like case, that they should not come down again to your country at all, I would think it the better for your lordship." * From this it may be inferred that little progress had yet been made in the restoration of cordiality between the husband and wife. Active hostilities may not have been resumed; but the two continue to reside in separate houses, and to maintain the most complete independence the one of the other; the Countess, we may imagine, busying herself, as usual, with her buildings and her other improvements, and in scheming the advancement and pushing the fortunes of her two favourite sons, leading a tolerably cheerful as well as stirring life in the midst of an unfailing attendance of children, grandchildren, and other attached expectants; the poor old shattered solitary Earl brooding not less intently and solicitously over the increase of his possessions and revenues, which

* *Lodge*, II., 391. The sense of the passage is evidently what the pointing I have given brings out.

must so soon pass from his grasp. But now comes a remarkable document which brings the state of matters before us in much fuller light.

It is a letter to the Earl from Dr. William Overton, the Bishop of Lichfield and Coventry; the date, 12th October 1590. The Bishop had shortly before felt it to be his duty to go to the Earl and urge the desirableness of "a good and godly reconciliation" being brought about between him and his wife; and the Earl appeared to take the liberty he had so ventured upon in good part. He cannot see, he now repeats, but that it must needs rest as a great clog and burthen upon his lordship's conscience to live asunder from his wife, "without her own good liking and consent thereto." The gospel forbids all men to put away their wives unless for adultery, a thing never suspected in the Countess. His lordship cannot but know that such separations have always been held to be unlawful and ungodly, not only amongst the people of God, but also amongst the heathens themselves; so wise, grave, and well-disposed as he is of himself, if evil counsellors did not draw him away from what was right. "But," proceeds the right reverend prelate, "some will say in your lordship's behalf that the Countess is a sharp and bitter shrew, and therefore like enough to shorten your life if she should keep you company. Indeed, my good Lord, I have heard some say so; but, if shrewdness or sharpness may be a just cause of separation between a man and wife, I think few men in England would keep their wives long; for it is a common jest, yet true in some sense, that there is but one shrew in all the world, and

every man hath her; and so every man might be rid of his wife that would be rid of a shrew." This piece of episcopal doctrine is the more curious, inasmuch as Overton was himself a married man, and must have been indebted for his convictions to something more than abstract reasoning. But, notwithstanding his general estimate of the sex, the rest of his letter tells decidedly in favour of the Countess. "My honourable good Lord," he says, "I doubt not but your great wisdom and experience hath taught you to bear some time with a woman, as with the weaker vessel; and yet, for [from?] the speeches I have had with her ladyship in that behalf, I durst pawn all my credit unto your lordship, and, if need be, also bind myself in any great bond, she will so bridle herself that way, beyond the course of other women, that she will rather bear with your lordship than look to be borne withal; and yet to be borne withal sometimes is not amiss for the best and wisest and patientest of us all." It is, that is to say, what the best of us sometimes need. But perhaps, the good Bishop goes on to observe, some of his lordship's friends may object greater matter against the Countess; they charge her with having sought the overthrow and ruin of her husband and his noble house. Those that say so, he feels assured, are not really his lordship's friends, but rather her ladyship's enemies. What they assert, he argues, is utterly improbable. Is not her own prosperity, and even that of her children, involved to a great extent in that of her husband? He believes, too, that she wishes all good to his lordship for his own sake, as well as for

her own and theirs, or otherwise she would not be so desirous of his life and company as she is. "Therefore," he concludes, "I beseech your lordship, remove all such conceits far from you as are beaten into your head by evil counsellors, and rather think this unlawful separation to be a stain to your house and a danger to your life; for that God indeed is not well pleased with it, who will visit with death or sickness all that live not after his laws, as of late yourself had some little touch given you of it by those, or the nearest friends of those, whom you most trusted about you."* The allusion in these last words is probably irrecoverable.

What effect the Bishop's appeal, or admonition, may have produced, we are not enabled to say. A letter written on the 23rd of the same month to Lord Talbot from one of his dependants congratulates his lordship on the great favour continued to be shown both to himself and the right honourable lady his wife by his right honourable father.† This looks as if a general peace had been concluded. It was time, if such a thing was to be at all; for the old Earl died within a month—on the morning of Wednesday, the 18th of November, at Sheffield Manor. It has not often happened that a man has been led such a life by women with whom he had no *liaison de cœur*. For twenty long years this noble Talbot was kept in continual perturbation by his two Queens and his wife, sometimes pulling or pushing him all at once, though in different directions, sometimes tormenting him not less effectually in pairs, or even singly. It would have been much less

* *Lodge*, II. 407—411. † *Ibid.* 418.

absurd if he had cared for any of them, or they for him. But even for Elizabeth, with all his punctilious loyalty, he had evidently little or no personal regard, and little reason, it must be confessed, for feeling any; the sixteen years that Mary Stuart was in his hands had inspired him with so little interest about her, that he could appear as one of her judges when she was tried for her life, and join in the sentence that condemned her to death, and even be a witness of her execution; of the sentiments with which he looked upon his wife, or his enemy as he called her by way of special distinction, nothing more need be said. So that this was the reverse of the common case of a man enthralled and subjugated by the charms and wiles of the sex. It rather reminds one of the foul treatment and forlorn hap of the captives of the Amazonian Queen Radigund in Spenser, stripped of their martial attire and almost of their manhood itself, and half transmuted inwardly as well as outwardly into women:—

> "First she doth them of warlike arms despoil,
> And clothe in women's weeds, and then with threat
> Doth them compel to work to earn their meat,
> To spin, to card, to sew, to wash, to wring;
> Ne doth she give them any thing to eat
> But bread and water, or like feeble thing,
> Them to disable from revenge adventuring."

Among the subjects that occupied the Earl in his last years was the contrivance of a monument for himself, which he had erected in the parish church of Sheffield some time before his death. It bears a long Latin inscription, conceived in such terms as it is rather unusual for a man to employ in his own case. Not

satisfied with describing himself as a most illustrious hero (*illustrissimus heros*), having the certain hope of a happy resurrection, and as descended from a most noble stock dating from the Norman Conquest, and which had never been aspersed with the slightest stain of disloyalty, he declares that he was not only the sole surviving son and successor of his father, the fifth Earl, but also the heir to the minutest tittle of all his virtues (*omniumque virtutum ex asse haeres*). The inscription then celebrates in the same unreserved style certain military services of his lordship against the Scots in the early part of his life. But the most curious passage is that which relates to the Scottish Queen, who, we are told, was honourably and splendidly entertained by him for more than three *lustra*, to his great cost as well as the burdening him with a load of anxiety scarcely to be expressed. Yet, it goes on, he carried himself in his difficult office in a manner so praiseworthy and so prosperous that envy itself could not deny either his fidelity or his prudence; and then we have the hard tombstone frankly taking up and proceeding to refute the reports of his having been too intimate with the captive queen (*licet a malevolis propter suspectam cum captiva regina familiaritatem sæpius male audiret*). This is taking the bull by the horns with a witness. In another sort of character we might suspect such a strange proclamation addressed not only to the living public but to all posterity to have proceeded from the person making it being vain of and feeling flattered by the imputation which he pretends to put down; but the Earl was not the man to

be capable either of the vanity or the affectation. All throughout this epitaph he is evidently in dead earnest, and honest to the point of utter recklessness and desperation. His purity, he says, was proved by his having been both one of the persons commissioned to try the Scottish Queen, and also one of those appointed to see the sentence passed upon her carried into effect. Thus, the elaborate panegyric concludes, noble as he was by his birth, he was still more so by his actions and by the honourable offices to which he was called.* It appears that the person the Earl employed to compose this inscription, or at least to turn it into Latin, was John Foxe, the Martyrologist; the first draught of it was discovered some years ago by Mr. Hunter in his hand-writing among the Harleian Manuscripts. Foxe, as Mr. Hunter remarks, died three years before the Earl. Its publication while he was still alive, and the perusal of it with his own eyes on the enduring stone, was an odd gratification which his lordship sought for himself. There it still remains for us to read as he read it—somewhat obliterated indeed, but not otherwise altered, except in one particular. When Dugdale took his copy the day and year of the Earl's death were still wanting: Dugdale says that the neglect of his executors therein, as he had been credibly informed, the Earl "did prophetically foretell." The deficient dates have now been supplied.

By his will, executed about five months before his

* See the most correct transcript of the original Latin in *Hunter's Hallamshire*, 148, 149. It is also given, with many errors, in *Dugdale, Baronage*, I. 325.

death, the old Earl had left his two younger sons, Edward and Henry Talbot, his executors; but it was arranged among the several members of the family that they should renounce, and in the end administration was granted to Gilbert, now become Earl of Shrewsbury. Scarcely, however, has this matter been settled when we find the new Earl at war with almost everybody about him or connected with him, with relations, neighbours, and dependants.

Even the Dowager Countess, the widow of his father and the mother of his wife, with whom we have seen him heretofore in such intimate alliance, and who used to claim him as *her* son Gilbert, is now in arms against him. Disputes about property appear to have produced various suits at law between them. Miss Costello gives part of a letter to the Earl from his friend Sir Francis Leake, but without telling us its date, in which the writer, referring to a recent visit of the Lady Arabella to her grandmother, states that he had hoped it would have had some effect in appeasing or at least making a beginning of qualifying such controversies and suits as were still in dependence between his lordship and the old lady; adding a remark to the effect that the longer a contention is kept up between persons of their high rank, the more numerous are the matters in dispute likely to become, and the sooner all such controversies can be brought to a quiet end the better for themselves and all those friends that love them both. "I did never hear," he also says, "that any of your lordship's counsel should speak that your lordship should come and seek my old lady's favour,

nor she yours."* Thomas Woodward, another correspondent of the Earl's, we are told, writes long tedious letters, setting forth all the wrongs his lordship had sustained from his mother-in-law, and doing his best to inflame the quarrel by a minute detail of irritating particulars. "Your unkindness," he says in one of his communications, "sticks sore in her teeth;" and then he proceeds to dilate upon the manifold injuries and most unkind dealing of the old lady towards his lordship, not only in raising suits against him for trifles, and intruding into his lands, which were no part of her jointure, with other such wasteful and vexatious proceedings, but also in giving countenance or rather most foul maintenance of his most base and paltry enemies. "Whereat," he adds, "all the world, that knoweth the rising of her happy fortune, wonder at her injurious course against so noble a person and her own progeny,"—that is to say, her daughter the Earl's wife.†

But the new Earl's most serious and bitter feud was with his two brothers, especially with Edward, the elder of the two. It rose at last to such a height that his lordship challenged Edward to mortal combat. At least a document of more threatening and warlike aspect has seldom been penned than his letter to his brother, a copy of which in his own handwriting is preserved among the Talbot papers, and has been printed by Lodge. It was sent by two of his servants, described as gentlemen, is dated from Sheffield Castle the 22nd of June 1944, and runs as follows:—

* *Miss Costello*, I. 136. † *Ibid*, I. 137.

"Whereas I understand that you have said that I have made a fraudulent lease or deed, or both, I say that you have therein lied in your throat, and shall do so as often as you shall so say or think. If herewith you shall find yourself aggrieved (in such sort as in the honour of your birth you ought) I will not fail to be found, with two gentlemen only, or with more or fewer, and in such an indifferent place, on such a day and hour, and with such weapons and garments, as these two my servants shall conclude with you. And, further, I could wish you would bring so many of my known enemies as I could be glad to encounter with gentlemen of like quality and number, hearing that you are lately combined with some of them."* His lordship talks of his known enemies as if there had been a whole population of them. The messengers were further directed to propose that he and his brother should meet attended by two friends apiece, and armed with rapiers, daggers, and short gauntlets, at nine o'clock on the morning of the ensuing Wednesday, the 26th, at a place one mile to the south of Doncaster, which would be eleven miles from Edward's house at Pomfret, and twelve from Worksop, whence his lordship would come to the rendezvous. Edward's reply, dated from Pomfret on the following day, is evidently intended to make a favourable impression upon third parties by its moderation of tone. His words about the lease, he states, were, that *if* his lordship had granted a lease by which he dispossessed himself of the freehold, and then suffered recoveries to

* *Lodge*, II. 463.

the prejudice of the entail, wherein he, Edward, was next in remainder, then such a lease to such a purpose his counsel thought would be found to be fraudulent. As for the challenge, a thing he could have little expected to proceed from a person of his lordship's place and wisdom, he flatly refused it, moved by many good and sound considerations, which his brother seemed to have forgotten.* On this the Earl the same day dispatches to him a second letter from Worksop. His lordship by no means imitates Edward's pacific style. "Whereas," he begins, "you write that I have given you a challenge to fight with you, I answer that you therein lie, for I only gave you the lie in your throat; and where you say it to be a course little expected by you to proceed from a man of my place and wisdom, you shew your simplicity in conceiving that such men should be insensible of injuries." The rest is all as stinging as he can make it. He supposes it is fear, he tells Edward, that makes him shroud himself under the opinion of his counsel learned in the law, and mistake a lie in the throat for a challenge, and refuse a challenge before it has been given. And then he proceeds to give him the lie over again upon other points.† At the same time the two servants who brought the letter delivered, first by word of mouth and then in writing, an intimation that their lord would be at the place formerly proposed on that day at eleven o'clock, with not above seven persons in his company, and would remain there till one o'clock, or till any later hour at which his brother would say that he would

* *Lodge*, II. 455. † *Ibid.* 466.

meet him. Edward replies the next day as calmly as before. It seems to him, he observes, that, in his lordship's eagerness to force a quarrel with him, every thing that may be reported to him, how untrue soever, finds free passage and credit if it only tell against his brother. "How I could or would," he says, "digest these things at the hands of any other than yourself, my actions, noways degenerate from my birth, shall, I hope, give both sufficient testimony to the world and discharge to my reputation." He does not hold or take it for a disgrace to receive the lie at his lordship's hands, seeing it has ever been his determined resolution never to enter into hostilities with his lordship's person.*

The history of this curious affair is completed by four more letters, which Lodge has also printed; two to the Earl from Lords Essex and Howard, both dated from the Court at Greenwich the 17th of July, the others the Earl's answers to his two noble friends. The Queen, Essex writes, had heard of his lordship's proceedings with his brother Edward. The letters that had passed between them had all been shown to her Majesty by those who sought to persuade her that his lordship had been violent, a thing which they told her was dangerous in great men, and who made it appear that his brother had demeaned himself with meekness and Christian patience. She had thereupon asked Essex to write to him and advise him to abandon such courses. He knows Lord Shrewsbury too well, Essex adds, to offer him counsel of twenty-seven years old

* *Lodge*, II. 468.

(Shrewsbury was in his forty-first year); but he will act as a watchman for him in his absence, and will tell him that he perceives a great jollity in some of his enemies on this occasion. They hope that he will proceed so far as to put himself in the wrong, or even that what has already taken place will alienate the Queen from him; "and therefore," says he, "you see you have cause to stand upon your guard."* The same bearer brought the other letter from Howard. Charles Howard, Lord Howard of Effingham, and Lord High Admiral, afterwards created Earl of Nottingham, had now well nigh reached the age of sixty. His letter is as friendly and delicate as that of Essex, and more weighty and earnest. It is, indeed, in all respects an admirable letter. Shrewsbury, it appears, when last at Court had acquainted Lord Howard with the differences that had arisen between him and his brothers, and with their conduct towards him. "Now, my honourable Lord," Howard writes, "I do hear that of late it hath proceeded on so far, and the unkindness is grown so great betwixt your lordship and your brother, as that your lordship hath challenged him to the field. My honourable Lord, your most honourable favour and love that you have always shewed unto me doth make me, in the abundance of my love and affection to you, presume to write unto you my opinion. How true this report is I know not, and I do hope and persuade myself that it is not so; but if, in the want of their discretion, they have any ways either of them forgotten themselves, yet, my Lord, in your wisdom remember

* *Lodge*, II. 469.

yourself, and let not any of their follies (in what sort soever it be, not touching you in the honour of your person, which they nor any of them dare in word or deed ever attempt) make your lordship to venture the touch, and the endangering of the overthrow of your most noble and worthy house. I protest before the Lord I hold your honour so dear, and I do love you and it so much, and to the maintaining of it, as that I would set my foot by yours to venture my blood and my life with any; but in this case of nature, betwixt brothers, there can be no honour gotten or saved, for in the world it will never come to that question." God forbid, Howard goes on, that either his lordship's blood or that of his brother should be touched; but how dreadful a thing would it be even if any of the other parties present should be slain! After all, his comfort as yet is that what he has heard must be only a false report; but, however the case may stand, he knows that the Earl will take what he has written as coming from a friend of whose true affection he is assured,—from one, indeed, who loves him and his honour as he does his own.*

Shrewsbury's answers are dated from Worksop on the 13th. He warmly thanks Lord Howard both for the affection expressed in his letter, and for his grave and prudent counsel. What has lately passed between himself and his brother Edward, the confidental servant who conveys the present letter will explain to his lordship. A full recital of the causes that have brought matters to such an extremity, would make too long a

* *Lodge*, II. 470—472.

discourse for his lordship to read. Briefly, they are:—his brother's wicked breaking of faith with him in all the infinite protestations he had made to him in the lifetime of their father; his vain brags and false reports spread abroad by his own mouth throughout Northumberland and Yorkshire in Lent last, that he, the Earl, had forfeited to him even his present right to all his estates, by attempting to cut off the entail made by their father; and, more lately, what he had affirmed about the lease which he alleged to be fraudulent; "with," adds the Earl, "my certain knowledge of a general opinion that is conceived in these parts that what injuries soever, and by whomsoever, shall be offered unto me will, and must, be borne." "Your lordship," he adds, however, "may see by his gentle answers, what small cause of doubt there is of any mischief to happen betwixt ourselves, so as what honour might be won or saved thereby is not like to come in question; but the course hath been ever held an honourable way for trials of truths, without exception to blood or kindred, that ever I heard of."* In his letter to Essex, the Earl enters more into details; and the account he gives fills up a gap in the family history, or sheds light upon some of its more obscure passages. "In my father's lifetime," he writes, "both my younger brothers, by most vile means, did not only procure unto themselves a greater portion of my father's lands than he left to my present possession (all which, in effect, they may freely dispose of at their pleasure), but also caused the most of that which descended to me to

* *Lodge*, II. 473.

be so entangled with entails, and such conditions of forfeiture, as have not been seen, and can hardly be performed; and whensoever my father's unkindness against me lessened, then my brother Edward always used the matter so as my father was verily persuaded that he would be at my devotion, and that he would ever help me to work mine own will; and he hath very often, and especially during the time of my brother Henry's greatest credit with my father, in a dissembling shew of extraordinary kindness voluntarily used many vehement oaths and deep protestations to secure me in that behalf, and to assure me that he would never enjoy anything from my father which should not content me; ever wishing me to take no other care but how I might work my desires, by his joining with me in all things without exceptions; laying heavy curses upon himself if he did not take part with me in making all those things void wherein he should be joined. My father being dead, the deep oaths which they both took of their griefs that they had so much forgotten themselves heretofore towards me, and the vows and protestations that they made, that what they had should be at my devotion, drew me to conceive that I should thenceforth find kindness and comfort in them; and also, to the great prejudice of my estate, to compound unadvisedly with them for the executorship, and other things of great moment, at such a rate as, I protest upon my soul and honour, I lost, as I verily think, 10,000*l.*, by that bargain at the least. All this notwithstanding, and that I have suffered them to enjoy all that they have without interruption, yet they have

dealt directly contrary to all these their oaths and protestations. For, first, when I moved them to perform on their part that which we agreed on after our father's death, my brother Edward flatly refused, and my brother Henry, making some shew of forwardness thereto, was withdrawn by my brother Edward, and might not do it, as he confessed, without Edward's consent in respect of a secret combination betwixt them. And as soon as they understood of some recoveries by me acknowledged, they were not only content by lawful and ordinary courses to preserve their estates in remainder after me, but Edward would needs make solemn, though secret, entries hard by my nose, and seal a lease on the ground for the trial of my forfeiture, and use all other means most spitefully to dispossess me of all those lands which I now possess." Neither, his lordship goes on to say, would all this satisfy Edward's cankered mind, but he must be spreading in all companies the slanderous reports that have been already mentioned. He had told his brothers both by message and to their faces how unkind he took their conduct to be, and how deeply it touched them; but without effect. "Now," he appeals to Essex, ". . . I do charge you in the sense of your own honour and feeling of worldly things, not as a saint but as a man; weigh these injuries, and forget not the former villainies I have borne of others, which have encouraged all my foes, and brought this general conceit into men's minds, that whatsoever can be offered me, by whom or how intolerable soever, yet will and must it be endured by me; weigh these things, I say, rightly,

and I will nothing doubt of your censure." He presumes that the whole course of his life and all who know him will acquit him of being of a quarrelsome disposition, which his heart detesteth; yet not so much that he will allow himself to be branded with a foul note of senseless sottishness. As his enemies may call his standing up for the rights of the poor a seeking of popularity; and may term it covetousness and oppression when he raises on the lands which are his own anything near the rents exacted by other proprietors towards the payment of his debts and for his necessary maintenance; so they may christen his just defence of his honour, under this intolerable provocation, violence. He cares not; but will stand firm upon his one determination, ever to be true to his Queen, his country, his friends, and himself.*

Earl Gilbert, though rather a remarkable variety of the race, is a true Talbot. Something of the practical toughness and obduracy of the family character, as well as of its intellectual narrowness or definiteness, may have been modified in his case; but he is no more to be driven from any theory of things that he has once taken up than was his father. And he too, we see, is given to the same extreme simplification of principle, or of profession. He has his one moral position, with which he solves or settles all difficulties. But his letters are as honest as they are passionate. He evidently believes himself to be in the right in this quarrel with his brothers, and also in all the other multifarious contests and differences in which he has got involved.

* *Lodge*, II. 474—478.

What it is that he alludes to where he speaks, both in his letter to Lord Howard and in that to Essex, of injuries or villainies which he had failed to resent as might have been expected of him, and the opinion that this had bred of his endurance being to be counted upon to an indefinite extent, is probably not now to be discovered; but it may be assumed that the matter, whatever it was, could not be regarded as discreditable to him by those to whom the real facts were known, as they no doubt were to his two noble friends. Nothing is recorded of him that would lead us to suppose him to have been deficient in the personal courage which had never been wanting in a Talbot. His letters, with all their precipitation and recklessness, leave a more favourable impression of the writer than his brother's cooler and more cautious ones.*

* According to Mr. Hunter (*Hallamshire*, 75), Edward Talbot was supposed to have sought his brother's life; he was said to have leagued himself for that purpose with Wood, the Earl's physician, and their scheme was to poison the Earl with a pair of perfumed gloves. There is, however, a misprint in the number of the Harleian MS. (4836) to which Mr. Hunter refers as his authority for this statement; and I have not been able to discover the volume meant to be indicated. Several passages in Rowland White's letters to Sir Robert Sidney in the latter part of the year 1595 may perhaps have some relation to this affair; but they would rather seem to imply that Wood was charged by Edward Talbot with something which he had done or attempted against him in confederacy with the Earl and the Countess. On the 29th of October White writes:—"My Lord Shrewsbury is like to fall into new trouble about the old matters; for Wood is called in question to the Star Chamber upon better proofs of his former doings" (*Sidney Papers*, I. 356). On the 29th of November:—"The Master of the Rolls was sent to examine my Lady Shrewsbury, who answers very discreetly and prudently to those articles objected by the physician against her. This matter is too hotly pursued by Mr. Talbot" (*Ibid.* 370). On the 7th of December:—"Wood, yesterday in Cheapside upon a pillory, had one ear cut off and three letters burnt in

One of the many affairs of the kind which the Earl had upon his hands is glanced at in the passage of his letter to Essex, in which he talks of the misrepresentation to which he had exposed himself by his exertions in defence of certain popular rights, or, as he phrases it, his "desire that a multitude oppressed should be relieved." What he means is the opposition he had made to certain alleged encroachments of his neighbour, Sir Thomas Stanhope, on the fishery of the Trent; it is a matter about which there are many letters among the unpublished *Talbot Papers*. But this was not the beginning of the quarrel between the two families; the public character assumed by which, as often happens, had been something superinduced upon a private difference, and in the most memorable scene of which it is not the Earl but his wife that sustains the principal part. It might be deemed an injury to her ladyship's memory to omit what brings her before us in so lively a way.

his forehead. He made an oration to the people, that the fact was his own, procured unto it by others; that his own confession was voluntary, led unto it by the horrible sting of his conscience to accuse him of his own villanies, which else could never have been discovered; that he had rather go to heaven with one ear than to hell with both ears; and desired the people to pray with him that God would receive his contrition. In his examination he doth charge my Lady Shrewsbury very deeply with the matter; but her Honour denies it, and the other brings no proof but himself to confirm it, which, in reason, being a perjured fellow, ought not to be believed" (*Ibid.* 374). And again on the 13th:—"I hear it feared my Lady Shrewsbury will be called in public question for Wood's perjuries. Yet hath she here many great friends of both kinds" (*Ibid.* 377). Perhaps the crime for which Wood suffered may have been his falsely charging Edward Talbot with the design of poisoning his brother; and he may have said that it was the Countess who instigated him to prefer the charge.

Sir Thomas Stanhope of Shelford was the head of the ancient and opulent Nottinghamshire family which has since branched into the three Earldoms of Chesterfield, Stanhope, and Harrington. There would seem to have been some difference between Earl Gilbert and Sir Thomas at the time of the death of the old Earl; on the 21st of November 1590 Michael Stanhope writes to Lord Shrewsbury beseeching him to be reconciled to his brother Sir Thomas, and to appoint him a Deputy Lieutenant in Derbyshire.* Within less than two years the two families are at open war. In August 1592 the Earl is an applicant to the Lords of the Council for redress or revenge against Sir Thomas Stanhope on account of injurious expressions used by him.† But what brought the feud to a height was an incident which occurred in the beginning of the following February, when the Earl's arms, probably painted upon the sign of an inn, were effaced at Newark. The insult was at once assumed to have proceeded from the Stanhopes. The Earl himself, for some reason, did not

* *Lodge, Talbot Papers*, 65. This must have been Sir Thomas's younger brother, afterwards Sir Michael Stanhope, of Sudbury, in Suffolk. In *Sloane MS.* 4161, along with his transcript of the other papers presently to be quoted, Birch gives (pp. 47—51) a long letter to Lord Shrewsbury, dated 22nd Nov. 1590, congratulating him on his accession to the title, and expressed in terms of the warmest personal regard, from John Stanhope, whom he describes in a marginal note as being the same whom King James in 1603 created Baron Stanhope of Harrington. The John Stanhope so ennobled was another younger brother of Sir Thomas. But, whoever may have been the writer of that letter, the John Stanhope who appears in the other papers was unquestionably Sir Thomas's eldest son. Of this Birch is not aware.

† *Sloane MS.* 4161, p. 53.

come forward upon this occasion; but the matter was taken up with sufficient energy both by his wife and her brother, Sir Charles Cavendish. Sir Charles's proceedings may be passed over for the present. Her ladyship's weapon, of course, was her tongue. First, we are informed, she sent a servant to Sir Thomas with a brief preliminary intimation to the effect that he was a reprobate and his son John a rascal, and that the child that was yet to be conceived should rue what had been done. This was on the 10th of February; five days later she dispatched two of her servants with a more elaborate defiance, which one of them is affirmed to have recited to Sir Thomas, in the presence of several persons whose names are subscribed to the original statement, in the following words:—"My Lady hath commanded me to say thus much to you. That, though you be more wretched, vile, and miserable than any creature living; and, for your wickedness, become more ugly in shape than any creature in the world; and one to whom none of reputation would vouchsafe to send any message; yet she hath thought good to send thus much to you:—That she be contented you should live, and doth no ways wish your death; but to this end, that all the plagues and miseries that may befal any man may light upon such a caitiff as you are, and that you should live to have all your friends forsake you; and without your great repentance, which she looketh not for, because your life hath been so bad, you will be damned perpetually in hell fire." There were, it is further affirmed, "many other opprobrious and hateful words, which could not be remembered, because the bearer would

deliver it but once, as he said he was commanded; but said, if he had failed in any thing, it was in speaking it more mildly, and not in terms of such disdain as he was commanded." *

This anecdote—together with what has already been related of the behaviour of Mary Cavendish in the affair of her niece Arabella Stuart †—would incline one to

* See transcript from the original document in the *State Paper Office* by Birch in *Sloane MS.* 4161. A marginal note by the Earl of Shrewsbury states that the report was sent by Sir Thomas Stanhope to the Lord Treasurer (Burghley) "with a letter of heinous complaint." The Earl adds: "The truth of these messages is otherwise in divers points, yet the most thereof true in substance." The longer of the two messages is given by Lodge, *Introduction*, p. XXXI.; and there the anecdote is stated to have "been taken from a MS. in the possession of the Rev. Sir Richard Kaye, late Dean of Lincoln, called *Johnson's Extracts from Norfolk Papers.*" Here again, apparently, we have the Dr. Nathaniel Johnson, or Johnston, of Pontefract, the arranger of the Talbot Papers, then in the possession of the Duke of Norfolk.—See *ante*, p. 230, *note.*

† See *Vol. II. pp.* 381—385. In the *State Trials*, II. 769—778, is an account, taken from *Coke's Reports*, of the proceedings of a Privy Council, held at York House in Trinity Term 1612, before which the Countess of Shrewsbury was called up to answer for the part she had taken in the attempted evasion of the Lady Arabella. She obstinately refused to utter a word, asserting that she had taken a vow to disclose nothing, and that it was better to obey God than man. It was in vain that both the Archbishop (Abbot) and the Earl of Northampton (he of the *Cecil Letters* and the Overbury murder) proved to her, "by divers texts and examples in holy scripture," that the said rash vow was against the divine law. Perhaps her ladyship was the less affected by their reasonings, as being, according to Coke, "an obstinate Popish recusant," who had, he says, "perverted also the Lady Arabella." The sentence of the Lords was that the Countess should be fined £20,000, and imprisoned during the King's pleasure. But it is added;—"Hoc in terrorem, sed quære quid inde venit!" The charge, or statement of the case, by the law officer in attendance, which is given in the *Cabala*, is supposed to be Bacon's (he was then Solicitor General), and is commonly printed in his Works. There is a significant mention of the Countess in a letter of Bacon's to the King in January 1615, in which, having stated how he had within

conclude that her husband was not likely to find her a lukewarm auxiliary in any of his manifold resentments and contentions. More probably she was his inspirer and instigator in some of them. At all events, he seems to have led a more harmonious life with her than his father had done with her mother. Earl Gilbert, whatever were his faults, was not a person of an ungenerous nature. He and his wife agreed in a taste for show and expense, as well as in other points of character and disposition. Isaac Walton celebrates him as "the great and glorious Earl of Shrewsbury," in reference to his magnificent style of living.* He involved himself in this way in much pecuniary embarrassment; and indeed his quarrels with his relations and others were mostly quarrels about money. Many of the unpublished *Talbot Papers* relate to his negotiations with the great Italian money-dealer Sir Horatio Palavicino for raising funds by sales of lands, and sometimes of jewels.

This seventh Earl of Shrewsbury died at the age of sixty-two, at his house in Broad Street, London, on the 8th of May 1616. His wife, to whom he had been married for nearly half a century, and who was his junior by about three years, survived till 1632. They had had a son, who was named George, but he died in infancy; and so the Earldom of Shrewsbury passed away from the line of the ambitious old Countess after

the last few days helped to discover and examine a late patent, surreptitiously obtained from his Majesty, of the greatest forest in England, worth £30,000, for a matter of £400, he adds :—"The person must be named, because the patent must be questioned. It is a great person, my Lord of Shrewsbury; or rather, as I think, *a greater than he, which is my Lady of Shrewsbury.*"

* *Life of Bishop Sanderson.*

all her scheming to secure it. Earl Gilbert, however, managed, in spite of his younger brothers, to leave the greater parts of his lands to his three daughters, Mary, Elizabeth, and Alathea. He had seen them all three married long before his death; Mary to William Herbert third Earl of Pembroke, Elizabeth to Henry Grey eighth Earl of Kent, Alathea to Thomas Howard twentieth Earl of Arundel. The two former died without issue, and in this way the lands of the Talbots came into the possession of the Howard family, which was restored to the Dukedom of Norfolk in 1660 in the person of the grandson of Alathea Talbot. She also inherited the ancient Baronies of Furnival, Strange of Blackmere, and Talbot,* which accordingly remained associated with the Dukedom of Norfolk till the death of Duke Edward, without issue, at the age of ninety-two, in 1777, when, with other Baronies by writ held by the Howards, they fell into abeyance between the heirs of the two daughters of his brother the Honourable Philip Howard, the elder of whom had married William fifteenth Baron Stourton, the younger Robert Edward ninth Baron Petre; and they are still in abeyance between the present possessors of those titles. The Earldom of Shrewsbury, and also the Irish Earldom of Waterford, went upon the death of Earl Gilbert to his brother Edward, him from whom he had been divided while they both lived by so unbrotherly a variance. Edward eighth Earl of Shrewsbury, however, survived only till the 8th of February 1618; having thus enjoyed the peerage for no longer than about a year and nine

* See *ante*, p. 156.

months. Nor, though he was married, did he leave any issue. The youngest of the three brothers, Henry, also, had died in 1596, and had left only two daughters. The consequence was that the Earldom fell to George Talbot, Esquire, the great-great-grandson of a younger son of John second Earl, who was slain at the battle of Northampton a hundred and fifty-eight years before.*. No heir male existed of any of the last six Earls. This new line has supplied all the succeeding peers, six in number, including the present Earl,—of whom, however, it is remarkable enough, only two have been succeeded by their sons. It is only, in fact, in those two instances (which occurred in 1653 and 1667) that an Earl of Shrewsbury has been succeeded by his son since the death of the sixth Earl, more than two centuries and a half ago. Nor has the present Earl any son.

So much for the history of the Talbots. Now we may return to follow out that of the old Countess, the widow of the sixth Earl, with which we began, and of which the other is but an episode. The death of her fourth husband was no doubt the lightest stroke of that nature that Elizabeth of Hardwick had yet experienced, and cannot be imagined to have discomposed her much. She would go on with her architectural operations and other improvements as usual, neither less nor more her own mistress in regard to such matters and most others than she had been while a wife. Hardwick Hall, which still remains to attest the bold and splendid character

* See *ante*, p. 157.

of her taste, is believed to have been chiefly, if not entirely, reared in her last widowhood. So too, perhaps, was Oldcotes, which tradition reports her to have built in rivalry of the neighbouring Sutton Hall, the mansion of the Leakes. But both this house at Oldcotes, and that which she erected at Chatsworth, her principal structure, have long disappeared; the celebrated pile which has taken the place of the latter is no older than the last years of the seventeenth century, when her descendant the first Duke of Devonshire "raised that seat from a Gothic to a Grecian magnificence," to borrow the expression of Colley Cibber, whose father, old German Gabriel, the sculptor, was one of the artists employed on the work.

Another occupation of the widowed Countess for some years was the training and superintendence of her orphan grandchild, Arabella Stuart. The Lady Arabella, whose birth, it has lately been discovered, took place at Chatsworth,* appears to have been left in the hands of her mother's relations, and mainly dependent for her support upon her grandmother, all the time that Elizabeth lived. It may be doubted if her Majesty ever made her any further allowance than the pittance of £200 a year that had been originally assigned to her when the lands of her inheritance were upon the death of her father taken possession of by the crown.† Yet for a considerable space, from the death of Mary Stuart in 1587 till the birth of Prince Henry in 1594, only the life of her cousin the Scottish King stood

* *Rev. Joseph Hunter*, in *Archæol.* XXXII. 81.

† See *Vol.* II. *p.* 361.

between the granddaughter of the Countess of Shrewsbury and the succession to Elizabeth's own royal seat. During this interval she was, as may be supposed, an object of especial interest in various quarters. A letter received by Burghley from the old Countess in September 1592 has preserved an interesting memorial of the manner of life that she and Arabella then led together at Hardwick, from which the letter is dated. Burghley had written to the Countess giving her warning of certain Popish emissaries who were suspected to be lurking in the neighbourhood of her residence. "My good Lord," she says, "I was at the first much troubled to think that so wicked and mischievous practices should be devised to entrap my poor Arbell and me; but I put my trust in the Almighty, and will use such diligent care as I doubt not but to prevent whatsoever shall be attempted by any wicked persons against the poor child. . . . I will not have any unknown or suspected person to come to my house. Upon the least suspicion that may happen here any way, I shall give advertisement to your lordship. I have little resort to me; my house is furnished with sufficient company [that is, of servants]; Arbell walks not late; at such time as she shall take the air, it shall be near the house, and well attended on; she goeth not to any body's house at all; I see her almost every hour in the day; she lieth in my bedchamber." If she can be more precise, or scrupulously careful, than she has been, she will. She finds Arabella loving and dutiful; yet even her grandchild's safety is not dearer to her than the accomplishing of her Majesty's pleasure. She

would prefer suffering many deaths rather than that the apprehended wicked attempt to carry off her granddaughter should succeed. About a year ago she had heard that a seminary, or Romish priest, one Harrison, was staying at his brother's house about a mile from Hardwick, and had thought to have him apprehended; but she found he had a licence for a time. He soon after, nevertheless, took his departure, finding how much dissatisfied she was with his living so near her. Since her last coming down to the country she had heard that he was returned; but, when her son William Cavendish went suddenly to search for the man in his brother's house, he was not to be found. She begs that, if any such traitorous and naughty persons be through her Majesty's clemency suffered to go abroad, they may not be allowed to harbour near her houses of Wingfield, Hardwick, or Chatsworth. She then proceeds;—"One Morley, who hath attended on Arbell, and read to her for the space of three years and a half, shewed to be much discontented since my return into the country, in saying he had lived in hope to have some annuity granted him by Arbell out of her land during his life, or some lease of grounds to the value of forty pound a year, alleging that he was so much damnified by leaving of the University, and now saw, that, if she were willing, yet [she was] not of ability to make him any such assurance. I, understanding by divers that Morley was so much discontented, and withal of late having some cause to be doubtful of his forwardness in religion (though I cannot charge him with papistry), took occasion to part with him. After he

was gone from my house, and all his stuff carried from hence, the next day he returned again, very importunate to serve without standing upon any recompense; which made me more suspicious, and the willinger to part with him. I have another in my house who will supply Morley's place very well for the time. I will have those that shall be sufficient in learning, honest, and well disposed, so near as I can." She concludes with an apology for being forced to use the hand of her son William Cavendish, not being able, she says, to write so much herself for fear of bringing great pain to her head. But she adds, "He only is privy to your lordship's letter, and neither Arbell nor any other living, nor shall be."*

When Arabella, however, had become a woman, and had got an establishment of her own at court, her grandmother did not find her so compliant and manageable. At last they had a quarrel which appears never to have been made up; for, although King James is stated to have written to the old Countess in April 1605 with the view of accommodating matters,† and although his Majesty's interference produced what passed for a reconcilement, there is reason to believe that it was not more than formal and superficial.

It was immediately after this, in the beginning of May, that her second and favourite son William Cavendish was raised to the peerage, with the title of Baron Cavendish of Hardwick. His niece Arabella, then in high favour, would seem to have been the person upon

* *Ellis, Second Series*, III. 165—168.
† *Lodge*, III. 143.

whom the would-be lord had chiefly relied;* but perhaps his mother may also have exerted her influence. A friend is recorded to have written to her advising her "to entreat of his Majesty, that, in regard of her service to him, it would please his Majesty to make her son Cavendish a Baron, which she would think a sufficient honour and reward for all."† She might probably claim, like so many others, to have been useful in smoothing the way for James's peaceable accession to his English throne. Which of the two ladies it was to whom Lord Cavendish principally owed his peerage, we are not informed. It would seem, however, as if the honour had at first rather threatened to have a disturbing effect upon the unity that had hitherto subsisted between the mother and son. So early as on the 6th of July in this year 1605 we have Sir Francis Leake reporting in a letter to Lord Shrewsbury from Sutton Hall that my Lord Cavendish's lady was then lying very sick at Oldcotes, and that it was said that my old lady and she had had some discontenting speeches.‡

But daughters in law, and all others who had not irretrievably lost their hold upon the rich old woman, would bear a good deal now rather than come to an absolute breach with her. She could not exact much more observance from anybody. By the beginning of the year 1608 it had become evident that she could not last much longer. On the 4th of January Lord Shrewsbury gives her eldest son Henry Cavendish the following

* See *ante*, *Vol.* II. p. 368. But he was not, as there described, the Countess's *eldest* surviving son.

† *Lodge*, III. 146.

‡ *Ibid.* 168.

account of his mother;—"When I was at Hardwick she did eat very little, and [was] not able to walk the length of the chamber betwixt two, but grew so ill at it as you might plainly discern it. On New Year's Eve, when my wife sent her New Year's gift, the messenger told us she looked pretty well and spake heartily; but my lady [that is, the old Countess herself] wrote that she was worse than when we last saw her, and Mrs. Digby sent a secret message that her ladyship was so ill that she could not be from her day nor night."*

The Earl goes on to say that he had heard that directions had been given for having all the sheep and cattle on a certain estate driven away instantly upon her ladyship's death. The provident, not to say impatient, looker after the live stock was her second and favourite son William, lately ennobled. "These being the reasons," Lord Shrewsbury adds, "that move me thus to advise you, consider how like it is that, when she is thought to be in danger, your good brother will think it time to work with you to that effect; and God forgive me if I judge amiss, I verily think that, till of late, he hath been in some hope to have seen your end before hers, by reason of your sickliness and discontentment of mind." He advises Henry not to close with any offer that may be made to him. They have not forgotten, he assures him, to put his mother in mind of him, notwithstanding that it has been his brother's object to keep them all so divided one from another.†

Tradition will have it that the old lady herself was not without the hope of cheating death altogether, on the

* *Miss Costello*, I. 191. † *Ibid* I. 192.

strength of an assurance given her early in her career by a certain astrologer, that she should never die so long as she continued her house-building. It was perhaps the same prophet whom Mary Stuart speaks of in one of her letters.* In a strict sense, certainly, she never could die without ceasing to build; and this may have been all that the ingenious ambiguity of the cunning oracle actually expressed. It so chanced, however, that the prediction received a more striking interpretation or solution. There came so severe a frost that all bricklaying and mason-work was stopt; and then too the blood of the ancient Countess at last ceased to flow, stagnated probably by the same intense cold that destroyed the adhesiveness of the mortar. She expired, at her native Hardwick, on the 13th of February 1608. If she was fourteen, as is stated, when she was married to her first husband, whose death had taken place seventy-five years ago, she must have at least crossed the threshold of her ninetieth year.

Her departure, after so protracted an occupation of this mortal scene, was borne, it may be suspected, with much equanimity on all hands. The Earl of Salisbury, in answering Lord Shrewsbury's intimation of the decease of "the great and aged Countess," observes that he will offer Lady Shrewsbury not counsel, but good wishes; only he will remind her that the state of the noble lady her mother is now better than her own, and that, therefore, in mourning she doth her wrong whom she so much loved.† Another correspondent, Sir George Chaworth, writes from Newmarket

* See *ante*, p. 196. † *Lodge*, III. 230.

that he has no news worth sending; "for none," says he, "is more talked of here than my old Lady of Shrewsbury's departure; which, though it be a great and a good fortune to your lordship, yet I pray God it may of many be the meanest and worst that may happen to your lordship." * In the same strain, Sir Herbert Croft sends what we may fairly call his congratulations:—"Though I profess not to rejoice in the death of any, yet, seeing there is a time especially for old folks to pay the debt due to nature, I hope it will be allowed me to be glad that what others have enjoyed so long as it pleased God is now, in the just course of right, come unto your lordship; for which, and all other good fortunes that your lordship shall be pleased with, I shall ever joy." †

The Countess's last will,—which, we may be sure little time would be lost in opening after the breath was out of the body,—had been drawn up for the greater part in April 1601, when, as it was declared in the introductory paragraph, she was in her perfect health and good memory, she thanked her most merciful Father for it. But this authentic and solemn document, it need hardly be stated, lends no countenance to the popular story that the strong-minded woman cherished the hope of warding off decay and dissolution as long as she chose. She had learned, she says, "as well out of the holy word of God, as by the common experience of the world, that all flesh must change this mortal life, and that the hour and time of death is most uncertain, and not to be known to any mortal creature."

* *Lodge*, III. 250.

† *Miss Costello*, I. 192.

Wherefore, "accounting it not the least part [of the duty] of every Christian, whilst health and memory best serve, to dispose of such goods and things as God hath lent them during this mortal life, that after their death no suit or controversy may duly be had or moved for the same," she ordains and makes this her last will and testament, "as well," she continues, "to have my mind quiet from all worldly respects, in all comfortable manner wholly to attend God's secret pleasure at all times of my sickness, and especially at the time of my approaching departure out of this transitory world; as also to prevent all suits, debates, and controversy, that otherwise may arise or be moved amongst my children, whom I most chiefly desire and heartily pray to live in all unity and natural affection; and withal to quiet, settle and continue the possession of all such jewels, plate, furniture of household, debts, &c., as God of his gracious goodness hath vouchsafed to bestow on me." In the sense and substance, at least, this must be held to come from herself; and even the well chosen and weighty words may also, not improbably, have been her own. Among the particular bequests and other arrangements, the following are the most remarkable. She directs her body to be buried in All Hallows Church in Derby; she had not, any more than her late husband, chosen to trust to her executors for a monument or tombstone; one, says the will, "at this present is finished, and wanteth nothing but setting up." Even the setting up, she may perhaps have seen to before she died; at all events it has been set up, and still points out

the spot where her remains lie. The sum of a thousand pounds is ordered to be distributed ten days after the funeral among her servants, all of whom that choose are besides to be permitted to remain at Hardwick for a month. She had already some years before this founded an almshouse at Derby for eight men and four women, which still subsists. To her "very loving grandchild Arabella Stuart," she leaves her "crystal glass framed with silver and gilt, and set with lapis lazarus [lazuli] and agate; and one sable, the head being of gold, set with stone; and a white ermine sable, the head being of gold enamelled;" together with all her pearls and jewels that she shall have at her decease, except such as are otherwise bequeathed in this her will; and also 1000*l.* in money. She further prays Queen Elizabeth,—for whom she directs a gold cup to be bought with 200*l.* in gold which she has put aside for that purpose, hoping that her Majesty will deign to accept the "poor widow's mite,"—to be good and gracious to Arabella, "accordingly as her Majesty," her words are, "hath most graciously oftentimes said unto me that she would do for her poor orphan, now left only to depend upon her gracious providence." She humbly beseeches her Majesty to receive Arabella to be in attendance upon herself, as the greatest comfort that can be received by that "poor desolate orphan," "for whose most faithful loyalty," she adds, "and careful willing service unto her Highness, in all true allegiance, I dare and do answer for her as for myself." All that she bequeaths to Grace, the wife of her eldest son Henry Cavendish, is a hundred angels to buy a ring;

but, inasmuch as it had pleased God to give her leave to undertake and perform some buildings at her houses at Chatsworth, Hardwick, and Oldcotes, which she greatly desired should be well preserved and continued, she leaves to Henry the furniture at Chatsworth, as she does to her second son William all the furniture and plate both at Hardwick, which, it is to be remembered, was her principal residence, and at Oldcotes. In default of her sons and their heirs, both these bequests are appointed to go to Arabella Stuart. To William Cavendish, whom she appoints her executor, she leaves everything not otherwise bequeathed. Finally, "whereas," she says, "there hath been unkindness offered me by my son-in-law the Earl of Shrewsbury and my daughter his wife, and likewise by my son Charles Cavendish by their means, I do notwithstanding remit all wrongs and injuries which they have done against me, and do pray God to bless them, and to bless and prosper theirs; and also to bless all the rest of my children with all concord and good temporal and heavenly blessings." At this time, then, we see, although William was, as he appears to have always been, her favourite, her eldest son Henry was not altogether out of her good graces. But a different state of things is disclosed by a codicil dated the 20th of March 1603 (three days before the death of Queen Elizabeth), in which, "forasmuch as she had changed her mind touching her bequests and legacies to her grand-daughter Arabella Stuart and her son Henry Cavendish, and was fully determined and resolved that neither her said grand-daughter nor the said

Henry Cavendish shall have any benefit by any such gift or legacy," she declares that every gift and legacy that she had appointed for either shall "be utterly frustrated, void, and of none effect." And she confirms the will, with this codicil, on the 15th of August 1606, about a year and a half before her death.*

No real property is disposed of by this will. It would seem, therefore, that Cavendish had only left his widow a life tenure of his estates (including probably those which she had possessed before their marriage), and had appointed that after her death they should descend to his three sons. Chatsworth appears now to have become under this arrangement the property of Henry the eldest, as Hardwick became that of William. Charles, the youngest, appears to have inherited Welbeck. What fell to the Earl of Shrewsbury was no doubt what he was entitled to under the settlement made on his marriage with Mary Cavendish. Over all these dispositions the old Countess had no power.

Henry Cavendish, however, who, it may be remembered, had married the Lady Grace Talbot, died at Tutbury in October 1616, leaving no issue;† and then

* *Collins, Noble Families*, 15—18.

† Poor Henry appears to have been looked upon as the scape-grace of the family. Something of his character, or reputation, may be gathered from the following letter to his mother, which Mr. Hunter has printed (*Hallamshire*, 90):—"May it please your Honour, I received a letter from your ladyship by my brother William; and, whereas your ladyship writes it is said with you that I am gone only up to London to play at dice, the sayer or speaker of it will in time be ashamed of his occupation and be noted commonly for false, or else beware how he creepeth in every man's judgment, and mind where he is not made privy nor called

Chatsworth seems to have fallen to his next brother William Lord Cavendish. He was in August 1616 created Earl of Devonshire, and lived till 1625. His son, the second Earl, enjoyed the peerage only for three years, but was succeeded by a son who, coming to the title in his eleventh year, bore it for fifty-six years. These two Earls of Devonshire, the second and third, were the pupils and patrons of Hobbes. The fourth Earl, the son of the latter, was in 1694 created Marquis of Hartington and Duke of Devonshire; and the Dukedom has since descended, without interruption, from father to son. The present Duke is the sixth. The six Dukes and three preceding Earls of Devonshire have all borne the christian name of William, as well as the founder of their line, the father of the first Earl and the husband of Elizabeth Hardwick.

to counsel. For me, I little regard reports, nor study to please every man. I have attained to please those I seek if I please your ladyship. For others, I little esteem to please their fantasies, and will less every day; knowing I am as free-born as any other, and therefore think I do well if I please myself; which, by God's grace, I will assuredly shortly do, and shew wherefore my coming up was, neither to play at dice, to seek ease and dalliance, or for any other vain delight, but to seek virtue and honour in arms, which, by his licence that yields all things, I am resolute to follow, knowing, notwithstanding, that it will be ill spoken of and letted by my friends, not for my good, but for envy. But by that means I shall stay some babbling tongues from talking of my play, and cause them to sharpen their wits to devise some other great fault in me. More, I think in my conscience, to trouble your Honour than to mend any ill in me is their drift. My study is to please your ladyship, and so I endeavour myself daily; and, for my play, your ladyship shall hear, if you hear the truth, [that it] shall be altered, and I given to other play, that many mislike, though most fit for a gentleman. Thus, humbly craving your ladyship's daily blessing, I end, praying God to send your Honour long life and good health. Coleherbert, the 6th of November. Your ladyship's most bounden, humble, and obedient son, HENRY CAVENDISH."

Charles, the third son of Sir William Cavendish by his third and most celebrated wife, married Catharine Ogle, one of the two daughters of Cuthbert seventh Baron Ogle. The other, Joan, was married to Edward Talbot seventh Earl of Shrewsbury. On the death of Lord Ogle in 1597 the Barony, which had been created by writ in 1461, fell into abeyance between his two daughters; but was inherited by Lady Cavendish on the death of her sister without issue in 1627. Sir Charles Cavendish had died in 1617; and his son, who was named William, besides succeeding his mother in her ancient Barony in 1629, had been created by patent Baron Ogle and Viscount Mansfield in 1620, and Baron Cavendish and Earl of Newcastle-upon-Tyne in 1628, and was afterwards made Marquis of Newcastle in 1643, and Earl of Ogle and Duke of Newcastle in 1664. He is the Earl, Marquis, and Duke of Newcastle who figures in the story of the Civil War, and whom his literary wife has made further memorable. His only surviving son Henry, who succeeded to the Dukedom in 1676, died in 1691, leaving only five daughters (four sons having predeceased him); on which all his honours became extinct, except only the Barony by writ, which remains in abeyance among the descendants and representatives of his three youngest daughters, the two eldest (though all the five were married) having left no issue. The Dukedom of Newcastle, however, was revived in 1694 in favour of John Holles Earl of Clare, the husband of Margaret the third daughter. But, he too dying without issue male in 1711, it became again extinct. In

1715 it was once more revived in favour of Thomas Pelham Baron Pelham, whose mother was a sister of the late Duke; he is the Duke of Newcastle whose official history spreads over so much of the earlier half of the last century. But it seemed as if a fatality attended this Dukedom, and that nobody to whom it was given either in possession or in reversion was ever to have a male heir; the last creation had been with remainder, failing the Duke's heirs male, to his brother the Right Honourable Henry Pelham and his heirs male; but the Duke never married, and Henry died in 1754, leaving only a daughter. On this the old Duke got himself in 1756 created Duke of Newcastle-*under-Line*, with remainder to Henry Clinton ninth Earl of Lincoln, who had married his niece; and this is the Dukedom of Newcastle that still subsists. It has since descended from father to son; the present Duke is the fourth Duke of Newcastle of the last creation. The title, however, it appears from this deduction, has (including both variations) passed since it was first bestowed through seven possessors in all, and from one to another of no fewer than four names, those of Cavendish, Holles, Pelham, and Clinton.

THE CAVENDISHES AND THE STANHOPES.

The quarrel of the Earl and Countess of Shrewsbury, or at any rate of the latter, with Sir Thomas Stanhope and his son, in the beginning of the year 1593, did not end with her ladyship's second hostile message recorded a few pages back. Before either of his sister's word-of-mouth messages was sent, her brother Sir Charles Cavendish had, on the 7th of February, written to Mr. John Stanhope on the subject of "the villainy at Newark," and called upon him "to supply his father's inability, and maintain by sword that detestable act." Stanhope would appear to have taken no notice of this challenge; and, even when it was repeated the next day, although he at first sent a verbal reply excusing himself for the present by reason of an infirmity in his leg, and promising to answer it when he should have recovered from that ailment, he on the day following finally declined it on the ground that he did not know what he had to maintain; in other words, he denied having had anything to do with the defacing of the Earl of Shrewsbury's arms. On this Sir Charles had recourse to the conclusive expedient of giving his

reluctant adversary the lie.* This was on the 10th. Stanhope remained quiet for four days longer, and then he intimated his acceptance of the original challenge. Meanwhile, however, the affair had, apparently on his or his father's application, been taken up by the Lords of the Council, who on the same day, the 14th, issued their order prohibiting the further prosecution of the quarrel.

Nothing more was done for about a month. But Stanhope, perhaps, had been made to feel not very comfortable in the position into which he had got; so on Friday the 16th of March, between three and four o'clock in the afternoon, Mr. John Townsend, a cousin of his, presented himself in Lord Shrewsbury's house, in Broad-street, London, and, having there seen Cavendish, proposed that Stanhope and he should meet at seven o'clock the next morning at Lambeth Bridge, each armed only with a rapier, and that, after being searched, they should thence ride together to any convenient place they should agree upon, there to settle the matter. Stanhope would bring the weapons they should fight with, of which he would give his opponent his choice, taking himself what Cavendish left; and they should be accompanied each by only a single

* "Francis the First of France, who first set on and stamped this disgrace so deep, is taxed by the judgment of all wise writers for beginning the vanity of it; for it was he that, when he had himself given the lie and defy to the Emperor, to make it current in the world said in a solemn assembly, that he was no honest man that would bear the lie: which was the fountain of this new learning."—*Bacon's Charge in the Star-Chamber touching Duels.* Bacon argues, characteristically, that the lie, "in effect, is but a word of denial, a negative of another's saying."

friend to search them indifferently, or fairly, and by a servant a-piece to ride forward with them to the ground, and to hold their horses while they fought.

All this sounded honourable enough. It was finally agreed that the attendance of the servants should be dispensed with; and that they should each instead be accompanied by a second friend;—Stanhope by Mr. John Holles in addition to his cousin Townsend, Cavendish by Mr. Henry Nowell and Mr. George Markham. It was also arranged that the hour should be five o'clock in the afternoon.

At that hour, accordingly, on Saturday the 17th, the six met at the appointed rendezvous, the neighbourhood of the stairs where it was customary to take boat in crossing the river from Lambeth, then a comparatively retired and quiet spot, and whence it would be easy to get without much observation farther into the country either on horseback or by water. But here, when Nowell proceeded to search Stanhope, he found his doublet so hard quilted that he could with difficulty thrust a knife through it. "You are not armed," said Newell; "but this doublet is a strange affair: it is not to be fought in." In this judgment Townsend could not but concur. What now was to be done? Cavendish proposed that they should fight in their shirts; but this Stanhope positively declined doing, declaring that he was suffering from a cold; on which Sir Charles offered to lend him his waistcoat to keep him warm, and to encounter him stripped himself to his shirt. This proposal, also, Stanhope, as was to be expected, declined; and then the other offered to waive all objections to the

well-quilted doublet, and to go on with the fight as matters stood, if the two searchers would give their permission. But both Nowell and Townsend said that this, they thought, would be unfit, or improper;—the parties would be too unequally matched. So nothing remained but for them to separate, and return to their respective homes.*

All this rests upon the authority of a report drawn up by Nowell; but his account is probably correct enough: the facts are such as could hardly admit of being disputed, or stated in two ways. No doubt Cavendish showed all the intrepidity that the circumstances called for, or allowed; he was evidently not the least afraid of Stanhope. But, on the other hand, Stanhope's position was one which gives him a reasonable claim to have his conduct viewed with some indulgence, even if it should be thought that he did not evince much martial ardour. He had been dragged into the affair, very possibly without having done anything to provoke the hostility of which he was the object; both he and his father would seem to have disavowed having had any part in the insult alleged to have been offered to Lord Shrewsbury, for which it was that Cavendish demanded satisfaction. If the conciousness of a bad cause will, as it is said, unnerve the arm in combat, a man cannot usually be expected to be very eager to fight when he conceives that he has no cause at all. Then Cavendish may have been a stronger man than Stanhope, or a greater master of his weapon; there is every appearance of

* *Sloane MS.* 4161; pp. 51—60.

his having been both the one and the other; and yet these two most material points were not to be taken into account; the only thing to be seen to was that the combatants should be equally matched in respect of the length of their rapiers and the quilting of their doublets. There was no fairness in such an arrangement; the inferior swordsman, and the man of less, possibly of much less, bodily strength,—weakened too, as it would appear, by recent illness,—had not a chance: it was giving himself up to be hacked to pieces.

Of course, however, Stanhope did not improve his position by what he had done; and the opposite party assumed the port and the rights of victors. The Cavendishes and the Talbots would crow over the Stanhopes, we may be sure, at no allowance. The latter could not appear in public without risk of being insulted and set upon. On Wednesday the 28th of this same month of March, within a fortnight after the bootless convention at Lambeth Stairs, an attack was made upon Mr. John Stanhope and his men, as they were passing quietly along Fleet-street, by the Earl of Shrewsbury's "fellows," as they are styled in articles exhibited a few days after by Stanhope to the Privy Council. The assailants, who were commanded by Henry Leake, Gentleman, had, it is therein charged, after riding for some time up and down Cheapside inquiring for the complainant, gone into the Three Tons Tavern in Fleet Street, and remained there watching at the windows till they saw him pass, when they immediately sallied forth, and fell upon him and his company with as little warning as provocation. Besides

other minor casualties, one of Stanhope's men was so seriously wounded that he was not expected to recover.*

Nor did the family feud soon die away. So long after this as in 1599 we find active hostilities still going on. On Monday the 18th of June in that year, Sir Charles Cavendish, it is recorded, was, about ten o'clock in the morning, in the neighbourhood of his house at Kirkby, in Nottinghamshire, while accompanied by only two servants and a boy, suddenly enveloped by a party of about twenty horse under the command of his enemy Stanhope. At first he put spurs to his nag and tried to make his escape from so unequal a contest; but, the little beast coming down with him, too pistols were immediately discharged at him, one of which lodged a brace of bullets in the fleshy part of one of his thighs, while he was at the same time indented with small shot in various other parts of his person. Yet, "so strong was the hand of God with him," that, even after being thus wounded, he and his three attendants unhorsed six of their opponents, killed two of them on the spot, and handled two others so severely that it was thought they also must have died of their wounds. Such at least is what we are told in a "Declaration of the Foul Outrage," drawn up a few days afterwards on the information of Cavendish or one of his partisans. At length some workmen who were employed on a building which Sir Charles was erecting at no great distance, came up; and then Stanhope and his followers took to flight. Sir Charles and his three companions, it is stated, were armed

* *Sloane MS.*, 4161; pp. 61—65.

with rapiers and daggers only. The routed enemy left behind them six good geldings, several of them well worth twenty pounds a-piece, two pistols, two rapiers, two or three cloaks, and a number of hats; "all which," concludes the narrative, "are safely kept by Sir Charles."* They would be kept as testimonies and trophies of the victory.

These barbarous proceedings, as they seem to our modern notions, were the acts, not of men untrained in anything except the pistol and the rapier, but of persons probably as well educated in all respects and of as much general accomplishment as the generality of those composing the most refined society of the present day. Sir Charles Cavendish was both a scholar and a poet. A poetical tribute of his addressed, in April 1614, to his sister Lady Shrewsbury evinces at least a habit of versification and a familiarity with the fashionable models of rhymed writ, and is creditable as a piece of fluent and lively writing to the hand which could do such execution with weapons very different from the pen.† Stanhope, again, was anything rather than a mere fighting man. In September 1592, about the very time that the quarrel broke out between the two families, and only a few months before his receiving Cavendish's challenge, he had been created a Master of Arts by the University of Oxford, on occasion of a royal visit, in which he appeared in her Majesty's suite.‡ He lived till 1611, and his last will, executed within a year of his death, has been printed

* *Collins, Noble Families*, 21.

† *Lodge*, III. 284, 285. ‡ *Wood, Athen. Oxon.*

by Collins as an evidence of "his eminent abilities and moral virtues." It is an extremely pacific as well as pious document. After expressing his assurance of a full remission of his "infinite and horrible sins" through the precious blood of the Saviour, and his desire to be interred in the parish church of Shelford beside his late dear father, "from whence," he adds, "with him I hope to rise into the everlasting and incomprehensible joys of heaven," and stating that he has settled most of his land upon his two eldest sons, and has made conveyances in which is set down the limited provision he is able to make for his three younger ones by reason of his debts, "which are not small," he bequeaths to all his children, sons and daughters (there were six of the latter), his prayers to Almighty God to bless them with all his best heavenly and earthly blessings. Afterwards he prays his two eldest sons, "in the fear of God, to love one the other, and never to have suits the one with the other, and to love and to be good to their sisters," as his letters to them, dated at the same time with the will, more fully set forth his desire and request.* Philip, the eldest son of this Sir John Stanhope (he had been knighted by King James in his progress from Scotland in 1603), was in 1616 created Baron Stanhope, and in 1628 Earl of Chesterfield; and from him all the succeeding Earls of Chesterfield have descended; as have also the Earls Stanhope, the first of whom, created Viscount Stanhope of Mahon in 1717, and Earl Stanhope in the year following, was a grandson of the first Earl of

* *Collins, Peerage*, III. 310—312.

Chesterfield. Another son of Sir John's by a second wife was the great-grandfather of William Stanhope, who was made Baron Harrington in 1729, and Viscount Petersham and Earl of Harrington in 1742, and of whom the present Earl is the great-grandson.

Old Sir Thomas Stanhope, Sir John's father, who lived till 1596, had borne a high reputation as a knight of prowess. Collins mentions having seen a half-length picture of him in the Harleian Library, painted in his own hair in armour, holding in his right hand a General's truncheon; and he is one of the four Nottinghamshire Knights commemorated in a couplet which tradition ascribes to the muse of Queen Elizabeth;—

> "Gervase the Gentle; Stanhope the Stout;
> Markham the Lion; and Sutton the Lout."

It was not from him, therefore, that his son was likely to derive any disinclination to fight in a doublet of a proper description.

Sir Thomas's mother, however, had been a lady of a character and principles which could scarcely fail to exercise some influence over both her sons and her grandsons and to prevent them from being lovers of bloodshed and violence. She was Anne daughter of Nicholas Rawson of Aveley-Belhouse, in Essex, Esquire; and, her husband Sir Michael Stanhope having after the destruction of the Protector Somerset been also as one of his partisans sent to the block, she spent a widowhood of thirty-five years (the inscription upon her monument in Shelford church relates) in bringing up her children in virtue and learning, and in

a continual course of piety and charity, duly relieving the poor day by day, giving good countenance and comfort to the preachers of God's word, diligently attending the services of God's house, and towards the close of her life passing most of her time in prayer. She lived till February 1587. It was Sir Michael who obtained from Henry the Eighth the manor of Shelford, which had belonged to the dissolved monastery there, and which is still the principal seat of the Earls of Chesterfield.

The celebrated Anne Stanhope, who became the second wife of the Protector, was the sister of Sir Michael, though by a different mother; she was maternally of very illustrious descent, being the granddaughter of Foulke Bourchier Lord Fitzwarren, who was himself grandson of the Lady Anne Plantagenet, daughter and sole heir of Thomas Duke of Gloucester, the youngest son of King Edward the Third. Anne Stanhope Duchess of Somerset has already made her appearance in the story of Lady Catharine Grey.* Her letters to Cecil there quoted are evidence of her talent as well as of her spirit. But she was a woman of a very different temper from her sister-in-law Anne Lady Stanhope. The fratricidal contest between the Protector and the Lord High Admiral, which proved directly and speedily fatal to the one, and had also perhaps no small share in facilitating the overthrow of the other, has been said to have originated in the impatience and indignation of the Duchess at being obliged to yield precedence to the wife of her husband's

* See *Vol.* II. *p.* 294.

younger brother, the Queen Dowager.* It is certain, at any rate, that the two ladies bore no good will to one another. "My lord," writes Queen Catharine to her husband shortly after their marriage, "This shall be to advertise that my lord your brother hath this afternoon a little made me warm. It was fortunate we were so much distant; for I suppose else I should have bitten him. What cause have they to fear having [or, that have] such a wife! It is requisite for them continually to pray for a short dispatch of that hell." † This is strong writing for so saintly a lady as her

* "To begin with the foresaid brother of the Lord Protector, namely, Sir Thomas Seymour, High Admiral of England, and the King's uncle, here is to be understood that he had married Queen Catharine, late wife to King Henry the Eighth. . . . . Now it happened, upon what occasion I know not, that there fell a displeasure betwixt the said Queen and the Duchess of Somerset, and thereupon also, in the behalf of their wives, displeasure and grudge began between the brethren."—*Foxe, Acts and Monuments*, 1244. Then, after recording the execution of the Admiral, he adds:—"As many there were which reported that the Duchess of Somerset had wrought his death, so many mo there were who, misdoubting the long standing of the Lord Protector in his state and dignity, thought and affirmed no less but that the fall of the one brother would be the ruin of the other." The common story, however, is rejected by Burnet, who observes (*Hist. Ref. sub an.* 1547):—"It is generally said that all this difference between the brothers was begun by their wives; and that the Protector's lady, being offended that the younger brother's wife had the precedence of her, which she thought belonged to herself, did thereupon raise and inflame the differences. But in all the letters that I have seen concerning this breach, I could never find any such thing once mentioned; nor is it reasonable to imagine that the Duchess of Somerset should be so foolish as to think that she ought to have the precedence of the Queen Dowager. Therefore I look upon this story as a mere fiction; though it is probable enough there might, upon some other accounts, have been some animosities between the two high-spirited ladies, which might have afterwards been thought to have occasioned their husbands' quarrel."

† *Haynes*, 61.

Majesty — the authoress of a published collection of "Prayers, or Meditations, wherein the mind is stirred patiently to suffer all afflictions here," not to mention her posthumous tract entitled "Queen Catharine Parr's Lamentation of a Sinner," wherein "she, with great sincerity," as Burnet tells us, "acknowledges the sinful course of her life for many years, in which she, relying on external performances, such as fasts and pilgrimages, was all that while a stranger to the internal and true power of religion, which she came afterwards to feel by the study of the Scripture, and the calling upon God for his holy spirit."* The Duchess, however, was soon rid of her rival; the poor Queen died in childbed in September 1548, six months before her husband perished on the scaffold. The relict of the Protector did not follow the example of her sister-in-law Lady Stanhope; for after some time she took to herself a second husband, Francis Newdigate, Esquire. But, as the same stroke of fate had suddenly made them widows together, so they also died within a few weeks of one another;— Lady Stanhope, as has been already stated, in February 1587; the Duchess of Somerset, at the age of ninety, in April of the same year.

But the fact which most remarkably illustrates the aspiring temper of the Duchess is the singular limitation in her first husband's various patents of peerage; the history of which is also peculiar in another respect, namely in his having been created a Baron after he

* *Hist. Reform. sub an.* 1549.

had been for some years both a Viscount and an Earl. Sir Edward Seymour was made Viscount Beauchamp in 1536 on the marriage of his sister to Henry the Eighth; Earl of Hertford in the following year on the birth of Prince Edward; and Baron Seymour and Duke of Somerset in 1547 on the accession of his royal nephew to the throne. The Viscountcy and Earldom were conferred with remainder simply to his heirs male thereafter to be begotten, or altogether to the exclusion of his family by his first wife; the Barony and Dukedom, with remainder to his heirs male by his second wife, failing whom to his son Edward by his first wife and the heirs male of his body. It is strange enough that, after the descendants of Anne Stanhope had enjoyed the Dukedom under this arrangement down to the middle of the last century, it actually did fall to the elder branch, the posterity of the Protector by his first wife Catharine, daughter of Sir William Fillol, of Fillol in Essex; and in that branch it now is. On the death of Algernon the eighth Duke, in 1750, he was succeeded in the title by Sir Edward Seymour, Bart., who was the descendant in the seventh degree from the Protector by his first marriage; and the present Duke is his grandson. It is further curious that, even if there had been no restoration of the Dukedom and Barony in 1660,* they would still, it is held, have on the failure of the younger line revived in the elder exactly as they did, having immediately after the patents passed the Great Seal vested in Sir Edward Seymour and his heirs,

* See *Vol.* II. p. 394.

whose rights so acquired could not be affected by the attainder of the Duke and forfeiture of his dignities after his death by Act of Parliament.* Such, at least, is the doctrine laid down both in the Third and Fourth Reports of the Lords Committees on the dignity of the Peerage.†

* See *Vol.* II. *p.* 274.

† *Third Report* (1822), 75; *Fourth Report* (1825), 284 (*Commons Reprint* of 1826).—But surely every thing must depend upon the terms of the Act of Parliament (the 9th of the *Private Acts* of the 5th and 6th of Edward VI.), which is not quoted in either *Report*. The principle assumed in the *Reports* is, that the Crown, in granting a dignity of peerage with remainder to a certain individual and his heirs, and failing them to a certain other individual and his heirs, does in fact create two distinct rights entirely independent the one of the other, and the second of which, therefore, will not be at all affected by the forfeiture of the first. But the question will still remain in the present case, what was enacted by parliament in the 5th and 6th of Edward VI. respecting the dignities that had been conferred on the late Duke of Somerset? The legislature undoubtedly *might* have declared that they should not descend either in the one line or in the other. Whether or no it did so declare can only be ascertained from the words of the Act. For anything that appears, it *may* have been enacted that neither the one nor the other should inherit any rights under the Duke's patents of peerage, that the said patents should be to all intents and purposes null and void, and the dignities conferred by them wholly and for ever extinguished. The reasoning in the *Reports* would seem to apply only to the case of a dignity forfeited in the ordinary course of law, as by a conviction of treason. The conviction of the Duke of Somerset was of felony, which was held to operate no forfeiture of dignities; that was effected afterwards by a special legislative act, or new law, in the framing of which it was competent for parliament to make the forfeiture as comprehensive and complete as it chose.

It may also be remarked that the conviction and attainder of the Duke of course operated a corruption of blood in regard to the one son as well the other; and, while an "Act for the restitution in blood of Sir Edward Seymour, Knight, eldest son of the late Duke of Somerset born of the Lady Anne his last wife" was passed in the end of the year 1553 (2 *Priv. Acts* 1 *Mar. Sess.* 2), a similar "Act for the restitution in blood of Sir Edward Seymour, Knight, son and heir of Edward Duke of Somerset

After all, before another century had passed away the Cavendishes and the Stanhopes, whom we have seen divided by so fierce a feud, had become united by a marriage which transferred a principal portion of the domains of Sir Charles Cavendish to a branch of the descendants of Sir Thomas Stanhope; for Anne Stanhope, Sir Thomas's daughter, married John Holles first Earl of Clare, and the fourth Earl, who married Margaret daughter and co-heir of Henry Cavendish Duke of Newcastle, and who was thereupon raised to that Dukedom by a new creation in 1694, was their great-grandson. And, this marriage of his great-granddaughter having proved unproductive, so much of the property of Sir Charles as she had inherited was in the next descent carried away from his blood and lineage altogether to the posterity of his enemy Stanhope. The existing Dukes of Newcastle, Clintons paternally, are sprung through females from the Pelhams, the Holleses, and the Stanhopes, but not from the Cavendishes.*

and the Lady Catharine Fillol, his first wife," had been passed in the beginning of the same year (2 *Priv. Acts Edw.* 6). But for the latter Act, or that restoring the Dukedom in 1660, it will, it is apprehended, appear more than doubtful if Sir Edward Seymour could have made good his claim in 1750. As for the alleged fact (*Third Report*, 76), that Sir Edward then took his seat with precedence according to the date of the patent of 1546, that was no more than had been done by all his predecessors since the Act of 1660, which appears to have been understood to restore the efficacy and operation of the original patent in all respects, and consequently for the one branch of the family as well as for the other.

* It would appear from the curious narrative of old Gervase Holles, the historian of the Holles family, that the marriage of Anne Stanhope to John Holles, afterwards created Earl of Clare, contributed materially to inflame the quarrel of the Cavendishes and Talbots with the Stanhopes.

The marriage took place in May 1591, Holles being then six-and-twenty; and, "though," we are told, "it brought him all the happiness that could be hoped for in a wife, yet it conveyed to him a deep and lasting animosity from a great and potent neighbour (the son of his grandfather's especial friend), Gilbert Earl of Shrewsbury." In the time of the old Earl George there had been a treaty between him and Holles's grandfather, Sir William Holles, for the marriage of the young man (whose father was dead) to a niece or some other kinswoman of his lordship. "To which motion (whether he meant it in earnest, or pretending it only for fear of displeasing his grandfather) he seemed not unwilling, so that every one thought it would have proceeded; but after the decease of them both (for George Earl of Shrewsbury and Sir William Holles died in one year), liking Mrs. Stanhope better, he relinquished the Earl's kinswoman, and married her. This the Earl took as the greatest affront, the rather because Sir Thomas Stanhope and the Earl were great enemies." Soon after, on a quarrel arising out of the difference between their masters, Roger Orme, a servant of Holles's, slew in a duel Pudsey, Gentleman of the Horse to the Earl. For this the Earl "eagerly prosecuted the life of Orme;" but his master got him conveyed into Ireland, and afterwards, in spite of all the efforts of Shrewsbury, procured for him the Queen's pardon. Then followed another "business," as it is styled, between Holles himself and his relation Gervase Markham. Markham, says the family historian, "was a great confidant, or, as the phrase is now [1658], the gallant, of the Countess of Shrewsbury, and was usually in those days termed her champion. A proper handsome gentleman he was, and of great courage." In a fight with Holles Markham was severely wounded; upon which the Earl of Shrewsbury raised his servants and tenants to the number of a hundred and twenty, with a resolution to apprehend Holles if the wound should prove mortal. Markham, however, "recovered, and lived to be an old man, but never after ate supper nor received the Sacrament; which two things he rashly vowed not to do until he were revenged. A difficult undertaking, and, as he found, a very vain one, having so valiant and circumspect an adversary."—*Collins, Noble Families*, 81—83.

LORD PEMBROKE AND SIR GEORGE WHARTON.

GILBERT Earl of Shrewsbury and Sir Charles Cavendish, trebly connected as they were in relationship, were also united throughout their lives by a friendship which, in the midst of all the family dissensions, stood from first to last unbroken and unshaken. It is remarkable that, as they were born in the same month of the same year (November 1553), so they died within a few months of one another,—the Earl in May 1616, Sir Charles in the course of the year following.

Their proceedings in the two singular affairs that have been related, the quarrel of the Earl with his brother and that of Sir Charles with the Stanhopes, may show that they also somewhat resembled one another in temper, and that they had both imbibed the same rather extreme principles or notions on the point of honour. It was hard that, with so much eagerness to fight, they should both have fallen upon antagonists with whom it was found impossible to come to an actual crossing of swords.

The practice of the Duel is perhaps the most characteristic and illustrative of all the distinctive peculiarities of our modern social system. In ancient Greece and

Rome the citizen wholly absorbed the man, and therefore there were no duels; when one individual sought the life of another, it was simply as a murderer, or as an avowed rebel against the authority of the state. The constitution of modern society is quite different; the Gothic notion of citizenship, not so annihilative of natural liberty as the classic one, has always recognised the existence of other duties and rights than those springing out of relationship to the state, rather holding, indeed, that the highest life of the community resides in that portion of his activity which every citizen thus reserves sacred from the demands of the state and under his own control. Hence in every Gothic nation various other universal convictions of the popular mind, and almost uneradicable habits of thought and action, as well as those that have down even to our own day preserved the custom of private war; the maintenance and assertion, for example, of the right of private judgment in the matter of religion, a thing as abhorrent to the Greek and Roman notion of citizenship as any thing else that can be conceived. Duelling and Dissent are only different applications of the same principle.

The Duel presents perhaps the most extreme case of the intermixture and combination of that which is natural with that which is artificial that is to be found in the history of human society. Civilisation generally, indeed, is only a varnish, or at most a crust; but the passions which it keeps down, without either destroying or taming them, are for the most part such as pretty evidently cannot be altogether dispensed with, and

must be allowed to retain their original strength, though subjected to constraint and regulation, for the preservation of society and of civilisation itself; but here we seem to have the very spirit of natural freedom and that of conventionalism brought into peaceful and harmonious union. In this way the character of an age or country is in nothing better seen than in its private quarrels and duels: they reveal to us at once what is most barbarous and what is most refined in the national manners.

Among the Talbot letters published by Lodge is one addressed to the Countess of Shrewsbury (Mary Cavendish wife of Earl Gilbert), in September 1608, by a dependant of the Earl's, Thomas Coke, relating the particulars of an extraordinary collision between two distinguished personages of the Court, the Earl of Pembroke and Sir George Wharton, eldest son of Lord Wharton, in which the barbarism, it will probably be thought, was all on one side and the refinement on the other. Coke has no doubt but that her ladyship has already heard "what honour my Lord of Pembroke hath got by his discreet and punctual proceeding;" but he is enabled from information he has had to give her the full details. The quarrel originated in the violent behaviour of Sir George when playing at cards with Pembroke and some others on the Friday of the week before. Upon that occasion Lord Pembroke had said to him, "Sir George, I have loved you long, and desire still to do so, but, by your manner in playing, you lay it upon me either to leave to love you or to leave to

play with you; wherefore, choosing to love you still, I will never play with you more." This generous rebuke is not stated to have drawn forth any answer at the time; but the next day, when they were both hunting with his Majesty, Wharton, coming up to Lord Pembroke's page as he was galloping after his master, struck him over the face with his whip. The boy complained to his lordship, who thereupon examined him strictly as to the circumstances, and, finding no reason to think that he had deserved such treatment, demanded of Sir George why he had struck his boy. Sir George replied, he meant nothing towards his lordship. That, Pembroke rejoined, was not what he had asked, but why he had struck the boy. "I did not strike him," answered Sir George. "Then I am satisfied," said the Earl. "God's blood!" said Sir George, "I say it not to satisfy you." "But, Sir," said the Earl, "whoso striketh my boy without cause shall give me account for it, and therefore I tell you it was foolishly done of you." "You are a fool," said Sir George. "You lie in your throat," said the Earl. At this point the Duke of Lennox, the Earl of Mar, and others came up, on which the altercation ceased, and both parties rejoined the hunt. But, after they had galloped about six or eight minutes, Pembroke was suddenly called to by his brother the Earl of Montgomery to take heed or he would be stricken; turning round, he found Sir George advancing at full speed and nearly upon him; on which, neither having any weapon, he "instantly received him with a sound backward blow over the face, which drove him almost back upon his

horse's croup." Even after this they both resumed the chase; but as soon as the stag was run down in the town of Bagshot Sir George retired and wrote a paper, which he immediately brought and offered to the Earl, assuring his lordship there was nothing in it unfit for him to read. "Sir George," said his lordship, "give me no papers here, where all they see us who know what hath passed, if you mean to do yourself right. But, tell me, is not the purport of it a challenge to me?" The other replied that it was. "Well," said the Earl, "this night you shall have an answer; now let us talk of something else." Pembroke then called Sir John Lee to him, and desired him to tell Sir George that he would that night bring him the length of his lordship's sword. Sir John accordingly came to the Earl's chamber in the evening, when his lordship directed his page to deliver to him the sword the Earl of Devonshire had given him (meaning the late Earl, Charles Blount, formerly Lord Mountjoy).* This Lee took to Sir George, and told him that was the Earl's sword, and the next morning, being Sunday, the time when they would fight. But, when he proposed that Sir George should take the measure of his sword, the latter replied, "No, it shall not need; I will have no other sword but this at my side." "Advise yourself," said Sir John; "that is shorter than this; and do not think that the Earl will take one hair's breadth of advantage at your hands"—a plain intimation of the result, or no result, he might lay his account with ensuring by refusing to do what was usual.

* See *Vol.* I. *pp.* 224, *et seq.*

After all, this threatening affair passed off without more mischief; when Coke wrote this account of it every thing had already been settled by the interposition of his Majesty, who had had Sir George first sent for and then the Earl, and had laid his commandment upon both not to stir further in the matter. Subsequently to this, however, Wharton had come to Sir John Lee and had said to him that if the Earl would break the King's commandment he would do the like. "Sir John," continues the narrative, "said he knew the Earl was very scrupulous of breaking any of the King's commandments, but yet he would undertake upon his life to bring Sir George where the Earl should be, all alone, with that sword by his side; where, if Sir George would draw upon him, his lordship should either defend himself or abide the hazard; but soon after Sir George came to Sir John Lee, and told him he had received another commandment from his Majesty, and resolved to obey the same. After, they were both convented before the Lords [that is, of the Privy Council], and last before the King, and it was, as I hear, required that my Lord should give him satisfaction; which his lordship said he would do thus:—if Sir George would confess that he did not intend to have offended him at that time, he would acknowledge that he was sorry that he had struck him. And thus it ended." *

Wharton, of course, denied that he was riding against the Earl when his lordship turned round upon him; and it is possible that Montgomery may have been deceived when he suddenly called out to his brother to

* *Lodge*, III., 241—245.

be upon his guard. But still the ugly fact of his unprovoked and unmanly assault on the boy will remain.

This Lord Pembroke was William the third Earl, the grandson of William Herbert, the founder of the peerage, who married the sister of Queen Catharine Parr,* and the son of Henry the second Earl, whom his politic father compelled first to marry and then to desert the Lady Catharine Grey.† The mother of the third Earl was his father's third wife, Mary sister of Sir Philip Sidney, whom it will be recollected her famous epitaph celebrates as equally distinguished by having been "Sidney's sister" and "Pembroke's mother." He himself, having come to the title by the death of his father about three years before, had in 1604 married Mary the eldest of the three daughters of Gilbert Earl of Shrewsbury; so that that family had now a special interest in him. The marriage, however, which was unproductive of any issue that lived, is believed to have

* Of him and William Paulet first Marquis of Winchester, who described himself as *ortus è salice non è quercu*,—made of pliable willow, not of stubborn oak,—Naunton writes:—"They two were always of the King's religion, and always zealous professors. Of these it is said, that, being both younger brothers, yet of noble houses, they spent what was left them, and came on trust to the Court, where, upon the bare stock of their wits, they began to traffic for themselves, and prospered so well that they got, spent, and left more than any subjects from Normans' Conquest to their own times; whereupon it hath been prettily spoken that they lived in a time of dissolution." *Frag. Regal.* 12 (edit. of 1641). Pembroke was the son and heir of Sir Richard Herbert, a natural son of William ap Thomas, lord of Ragland Castle, who was summoned by writ as Baron Herbert in 1461, and created Earl of Pembroke in 1468. The Barony has been inherited by the present Duke of Beaufort, whose ancestor married his daughter; the Earldom expired with himself.

† See *Vol.* II., *pp.* 270, 271.

been also unhappy. Perhaps so much might be inferred even from the terms in which Rowland White writes to the lady's father and mother from the Court in April 1605:—"Let me assure your Honours that my Lady Pembroke is very much respected by all her Lord's friends, she worthily deserving it. It may be, the indiscretion of some that love tattling may buzz out the contrary, which occasions this protestation of mine to your Honours; and I doubt not but that her ladyship doth live, and shall ever live, as well contented as any lady in England, if others suffer her to see and enjoy this happiness." *

The Earl of Pembroke,—who is described by Anthony Wood, as having been "the very picture and *viva effigies* of nobility," his person, it is added, being "rather majestic than elegant, and his presence, whether quiet or in motion, full of stately gravity,"—has furnished Clarendon with the subject of one of his most brilliant and life-like portraits. He was, the noble historian affirms, "the most universally beloved and esteemed of any man of that age." "And, as he had a great number of friends of the best men," the flowing delineation proceeds, "so no man had ever the confidence to avow himself to be his enemy. He was a man very well bred, and of excellent parts, and a graceful speaker upon any subject, having a good proportion of learning, and a ready wit to apply it and enlarge upon it; of a pleasant and facetious humour, and a disposition affable, generous, and magnificent." It is then stated that to a great fortune inherited from his ancestors he derived a great

* *Lodge*, III. 152.

addition from his marriage; "but all served not his expense, which was only limited by his great mind and occasions to use it nobly." After the fall of the Earl of Somerset he was appointed to the office of Lord Chamberlain, "more," says Clarendon, "for the Court's sake than his own; and the Court appeared with the more lustre because he had the government of that province." But he only lived *in* the Court, as he had done many years before about it, never *by* it. "As he spent and lived upon his own fortune, so he stood upon his own feet, without any other support than of his proper virtue and merit. . . . He was exceedingly beloved in the Court, because he never desired to get that for himself which others laboured for, but was still ready to promote the pretences of worthy men. And he was equally celebrated in the country, for having received no obligations from the Court which might corrupt or sway his affections and judgment. . . . He was a great lover of his country, and of the religion and justice which he believed could only support it; and his friendships were only with men of those principles. And, as his conversation was most with men of the most pregnant parts and understanding, so towards any such who needed support or encouragement, though unknown, if fairly recommended to him, he was very liberal. Sure never man was planted in a Court that was fitter for that soil, or brought better qualities with him to purify that air." All this light, however, is not left without shade. "He was not," we are told, "without some alloy of vice, and without being clouded with great infirmities, which he had in too exorbitant a

proportion." Indulging himself in pleasures of all kinds, and almost in every degree of excess, he was in particular immoderately given up to licentious amours, the more, probably, in consequence of his unhappy domestic circumstances; "for he paid much too dear for his wife's fortune," observes the historian, "by taking her person into the bargain." Yet even here, it is added, "he was not so much transported with beauty and outward allurements as with those advantages of the mind as manifested an extraordinary wit and spirit and knowledge, and administered great pleasure in the conversation. To these he sacrificed himself, his precious time, and much of his fortune. And some who were nearest his trust and friendship were not without apprehension that his natural vivacity and vigour of mind begun to lessen and decline by those excessive indulgences."

About the end of James's reign Pembroke was made Lord Steward of the Household; and after the death of Buckingham, "he had likewise," continues the account, "such offices of his as he most affected of honour and command; none of profit, which he cared not for." His death took place, at his house of Baynard's Castle in the City of London, on the 10th of April 1630. "He died," says Clarendon, "exceedingly lamented by men of all qualities, and left many of his servants and dependants owners of good estates, raised out of his employments and bounty. Nor had his heir cause to complain. For, though his expenses had been very magnificent (and, it may be, the less considered, and his providence the less, because he had no child to

inherit), insomuch as he left a great debt charged upon his estate, yet, considering the wealth he left in jewels, plate, and furniture, and the estate his brother enjoyed in the right of his wife (who was not fit to manage it herself) during her long life, he may be justly said to have inherited as good an estate from him as he had from his father, which was one of the best in England." * This brother by whom he was succeeded, the notorious Philip Earl of Montgomery, so created in 1605, is the person from whom all the succeeding Earls of Pembroke and Montgomery have descended.

Lord Pembroke, Clarendon states, died of an apoplexy, after a full and cheerful supper; and then he relates a circumstance which he says was very frequently mentioned by a person of known integrity. That person, being then journeying to London from the west of England, met, at Maidenhead, Sir Charles Morgan, commonly called General Morgan, and Dr. Field, Bishop of St David's, both friends of the Earl's, with Dr. Chaffin, his house chaplain; and when they were all sitting at supper together one of the company drank a health to the Lord Steward, upon which another observed that he believed his lordship would be at that moment in excellent spirits, for he had now passed the day, completing his age to fifty years, which his tutor Sandford, upon a calculation of his nativity, had prognosticated that he would not outlive. The next morning on reaching Colnbrook they heard the news of his death.† We shall probably be safe in taking

* *Hist. Rebell.*, Book I.

† Anthony Wood (*Athen. Oxon.* II. 482) makes the calculation of the

this story as evidence at least that the Earl died on his birthday, and that he was born in the year 1580. There is also another story connected with his sudden demise: Granger reports it as a fact, which he says may be depended on, "as it was told by a descendant of the Pembroke family, who had often heard it related," that, when the first incision was made in the body in order to its embalmment, the supposed dead man lifted up his hand.

This Earl of Pembroke cannot be dropped without

Earl's nativity to have been "made several years before by Mr. Thomas Allen, of Glocester Hall." Echard (*Hist. Eng.* 448) says: "His death had been foretold both by his tutor and the Lady Davies, and that he should not outlive his birthday when fifty years of age; for which the latter was for some time imprisoned. But being very pleasant and healthful that day, after he had supped and returned from the Countess of Bedford's table, he said he would never trust a woman prophetess for the Lady Davies's sake. He went very well to his repose, but before eight in the morning he was snatched away by an apoplexy; a distemper that has proved fatal to many who have been excessive in their pleasures." The lady here mentioned was the wife of Sir John Davies the poet, who spread so much alarm by her fatal prognostications, mostly founded on anagrams, till (as Heylin tells the laughable story) she was suddenly struck dumb,—"shot through and through with an arrow borrowed from her own quiver"—by her own name, *Dame Elcanor Davies*, being found to be only another way of writing *Never so mad a ladie*. The prophecy of Lord Pembroke's death is alluded to in the Dedication of his *Poems*, published immediately after the Restoration, by the editor, John Donne (son of the poet), to Christiana Dowager Countess of Devonshire: "This monument that your ladyship hath erected to his memory will outlive the calculation of all astrologers; who, though they could foretel the time that he should leave us, could set no date to the fame that he should leave behind him; which, though it have lain asleep in all this noise of drums and trumpets, when all the Muses seemed to be fled, and to have left nothing behind them but a few lame Iambics canting at the corners of our desolate streets, yet they are now content to be awakened by your ladyship's command, and under your patronage to come abroad and meet and salute the peace that gave them their first being, and to tell the world that whatever was excellently said to any lady in all these Poems was meant of you;" &c.

its being noticed that to the many other interesting points in his life and character has recently been added a claim put in for him to have been the bosom friend of Shakespeare,—the "Mr. W. H." to whom the *Sonnets* were inscribed by their original publisher T. T. (that is, Thomas Thorpe) in 1609 as their "only begetter," and to whose personal history they are held by the believers in this hypothesis mainly to relate. That this great nobleman, because he had at one time been known as William Lord Herbert, should ever have been designated as "*Mr.* W. H.,"—whether it was for the purpose of covert announcement or absolute concealment,—is certainly an assumption not lightly to be admitted. Yet Pembroke was himself a writer as well as a lover of poetry. It is an odd coincidence that he too, as Shakespeare is supposed to have done, should have died on his birthday, the one as well as the other having first opened his eyes to the light and also taken his last look of this fair world in that same gladsome spring month.*

As for Sir George Wharton, who was the eldest son of the third, and the father of the fourth, Lord Wharton, the remainder of his short history will be found in our next narrative.

* The notion that "Mr. W. H." was the Earl of Pembroke was first advanced by Mr. J. Boaden, in his volume entitled "On the Sonnets of Shakespeare," 1837. It is also advocated by Mr. C. A. Brown, in his "Shakespeare's Autobiographical Poems," 1838. But by far the most complete and ingenious investigation that it has received will be found in a portion of a Commentary on the Sonnets and the Life of Shakespeare by Mr. D. Masson, which has not yet seen the light, and which is full of better things than this speculation, whether it be false or true.

THE WHARTON AND STUART DUEL.

In little more than a year after his abortive rupture with Lord Pembroke, Sir George Wharton got involved in an equally sudden quarrel with another friend, which had a bloodier issue. How far he was to blame on this second occasion, the scanty or partial accounts that have come down to us hardly enable us to say; but his behaviour in the case which has been already related would raise a presumption against him. Possibly the position in which he found himself left by that affair may have made him the quicker to take offence, and also the more resolute to pursue his next quarrel to the furthest point.

Sir James Stuart was, as well as Wharton, the heir to a peerage. In Scotland, his native country, he would be known by the title of the Master of Blantyre. His father, who is said to have been brought up along with King James, and who had held the offices of Keeper of the Privy Seal and Lord High Treasurer in Scotland before the union of the crowns, had been created Baron Blantyre in 1606. The son had been named after his Majesty, who was his godfather.

A rude contemporary Ballad, in which we have the

most detailed version of the story, makes Wharton's quarrel with Stuart to have originated in the same way in which that with Pembroke began: —

"Near to the Court these gallants stout
Fell out as they in gaming were."

According to this account, which, however, in addition to the poetical licence, is not uncoloured by some national partiality, Sir James, in consequence of something that passed while they were at play, struck "young Wharton" over the face on the instant. They then agreed, on Sir George's proposition, to meet the next day near Waltham, each with a single attendant.

"This done, together hands they shook,
And, without any envious sign,
They went to Ludgate, where they staid
And drank each man his pint of wine.

"No kind of anger could be seen,
No words of malice might bewray;
But all was fair, as calm, as cool,
As love within their bosoms lay;

"Till parting-time; and then, indeed,
They shewed some rancour of their heart:—
George, said Sir James, when next we meet,
So sound, I know, we shall not part."

The Ballad makes all this to have happened on "Martlemas eve," or the 10th of November (1609); but it must have been a few days earlier, probably on the 6th or 7th. Copies of two letters which passed between them before they fought are preserved among the Harleian manuscripts. The first is from Wharton to Stuart, and runs thus:—"Sir, Your mis-

construing of my message gives me cause to think you extreme vain-glorious; a humour which the valiant detests. And, whereas you unjustly said I durst not meet you in the field to fight with you, you shall find that you are much mistaken. For I will fight with you with what weapon you shall appoint, and meet you where you will; being contented to give you this advantage, not valuing the worst ye can do. GEORGE WHARTON." Sir James's answer is as follows:—"Sir, Your message, either being ill delivered or else not accepted, you have since, though ill advised, retracted, and have repented it; for your messenger willed me from you that either of us should make choice of a friend to debate the matter. To which I confess I did but lightly hearken, since I knew some odds which no breath could make even. And now you have to acknowledge no other speeches than you charged me with, which is, that I said you durst not meet me in the field to fight. True it is, your barbarous and uncivil insolency, in such a place and before such a company (for whose respect I am only sorry for what I then did or said), made me do and say that which I now will make good. Wherein, since you find yourself behind,* I am ready to do you all the right you can expect. And to that end have I sent you the length of my rapier, which I will use with a dagger, and so meet you at the farther end of Islington (as I understand, nearer you than me), at three of the clock in the afternoon. Which things I scorn to take as

* A person was said to be *behind*, or *behind-hand*, who had some wrong to repair. It was the *vox signata*, or regular phrase, in such cases as the present.

advantages, but as my due; and which I have made indifferent. And, in respect I cannot send any of my friends without great hazard of discovery, I have sent my servant herewith, who is only acquainted with this business. JAMES STUART."*

These letters do not put us in possession of all the particulars; but we may gather from them the general course that matters had taken. As is indicated in the Ballad, some behaviour of Wharton's which he took as an insult had been resented by Stuart with heat and violence; Wharton had afterwards sent to Stuart to propose that their difference should be submitted to the decision of two friends; and that application had been met on Stuart's part with the contemptuous reply that the other durst not meet him in the field. Then followed the two letters. Wharton's ungoverned and precipitate temper is here again conspicuous enough; but Stuart is the more arrogant, obdurate, and vindictive of the two.

They met, probably attended, as had been proposed, by a single servant each, at the time and place agreed upon, in some well known quiet spot to the north of Islington, or about Highbury, on the afternoon of the 8th of November.† For the circumstances of the fight we are principally dependent upon the ballad-maker,—whose fancy, however, fortunately for the truth of history, is evidently not one of much creative power. Wharton, who is his favourite hero, he makes to have

* *Harl. MS.* 707; fol. 59, r°.—The letters are printed in *Gent. Mag.*, Vol. 70, p. 1019 (for *Nov.* 1800).

† This is the date given in *Wood's Douglas*, I. 214.

been the first on the field; but he acknowledges that Sir James did not keep him waiting. The haughty Scot evinced at once that he was in no humour for the exchange of chivalrous courtesies:—

"And, being met in manly sort,
The Scotch Knight did to Wharton say:
I do not like thy doublet, George,
It sits so well on thee to-day.

"Hast thou no privy armour on,
Nor yet no privy coat of steel?
I ne'er saw lord in all my life
Become a doublet half so well.

"Now nay, now nay, stout Wharton said,
Sir James Stuart, that may not be;
I 'll not an armed man come hither,
And thou a naked man, truly."

Stuart, however, insisted upon his right of search:—

"Our men shall strip our doublets, George;
So shall we know whether of us lie.

. . . . . .

"Then they strip off their doublets fair,
Standing up in their shirts of lawn." *

The Scot now proposed that they should fight in their shirts; but to that barbarous demand Sir George would not assent; they were not drunkards and professed quarrellers, or swashbucklers. The combat is rather hurriedly dispatched in the poem. Wharton, we are told, was the first to take up his weapons. They made seven passes at one another before blood was drawn;

* This agrees with what Robert Johnstone says in his brief relation of the affair:—"Explorantes se invicem, et prætentantes sinus." *Hist. Brit.* 457.

then at last Wharton plunged his dagger into his adversary's shoulder-blade, and instantly followed up the thrust by another with his rapier through the thick of his thigh. Thinking he had killed him, he exclaimed,

> "Are you a living man, tell me?
> If there be a surgeon in England can,
> He shall cure your wounds right speedily."

Stuart, however, would not give over, and the fight was continued. At last,

> "—both through body wounded sore,
> With courage lively, strong, and sound,
> They made a deadly, desperate close,
> And both fell dead unto the ground."

Even here, oddly enough, the poet thinks it necessary still to award the precedence to his countryman:—

> "Our English Knight was the first that fell;
> The Scotch Knight fell immediately;
> Who cried both to Jesus Christ,
> Receive our souls, O Lord! We die." *

King James, Robert Johnstone tells us, was greatly grieved when he learned what had happened, and ordered that the bodies of the two unfortunate men should without delay be interred together in one grave, which accordingly they were. This statement is confirmed by an entry in the Parish Register of Islington,

* The rhyming history, which is entitled "A Lamentable Ballad of a Combat lately fought near London between Sir James Stuart and Sir George Wharton, Knights, who were both slain at that time," is printed in full in Mr. Nichols's "History and Antiquities of Canonbury House, at Islington," pp. 34—36 (*Bibliotheca Topographica Britannica*, No. XLIX. 4to. *Lon.* 1788).

which records the burial of both on the 10th of November.*

Both Wharton and Stuart left widows, as well as fathers, and it may be also mothers. Wharton had married the Lady Anne Manners one of the daughters of John fourth Earl of Rutland;† but they appear to have had no family: when Lord Wharton died in 1625, he was succeeded in the title by a son of a second son Thomas, whom he had also outlived. Stuart's wife was the Lady Dorothy Hastings, one of the daughters of George fourth Earl of Huntingdon; they had no issue, and Lady Dorothy afterwards remarried Robert Dillon second Earl of Roscommon, of whom she was the second wife. Lord Blantyre lived till 1617, when the title was inherited by his second son William. A third son, Walter, who is designated a Doctor of Medicine, was the father of the famous beauty, Frances Teresa Stuart, known as *La Belle Stuart.*

* *Nichols's Canonbury House*, p. 30.

† So, at least, it is stated in *Banks's Dormant and Extinct Baronage*, II. 586. But no such daughter is assigned to the Earl by Collins.

THE BRUCE AND SACKVILLE DUEL.

Even the Duel, it is always to be remembered, was a substitution for something still more irregular than itself; and probably it was the natural and only preparative for the passing away altogether of private war, which in assuming that form certainly admitted an element quite foreign and hostile to its proper nature. Rage, and deadly hatred, and thirst of revenge, no longer left to their own wild impulses, were now associated in a strange partnership and union with the spirit of punctilious observance and even of generous courtesy. It was only, indeed, by consenting to that alliance that the practice of private war was enabled to maintain itself at all as civilisation advanced; yet it could hardly be but that such an intermixture should prove fatal in the end to what it thus helped for a time to preserve, were it only from the fantastic and unreal, or at least inconsistent and contradictory, character which mortal combat had in this way acquired.

There is a period, however, in the history of the custom in which this subjection of it to method and rule may be seen to have very evidently multiplied, and that to a large extent, the occasions and the actual

number of hostile encounters. Men now fought at the bidding both of passion and of punctilio. They fought not only when they imagined they had been wronged, and were furious with resentment and longed to shed one another's blood, but when they were not angry or excited at all. When this spirit was at its height, there was almost nothing that could be done or spoken that might not the next instant give rise to a challenge or a duel. The lightest word might fall like a spark of fire upon a heap of gunpowder, and kindle a conflagration to be quenched only with blood.

This was nearly the state of things in England throughout the earlier part of the seventeenth century. In a tract published in the year 1640 the grave writer makes the following statement:—"I knew two gentlemen of great quality, and little wit, fall out in a tavern upon a protestation of the greatness of their mutual love each to other. In this ardency each strove for priority in affection. One said, Thou art dearer to me than I to thee; whereupon the other replied with the lie, and was run through in the place where he stood."*

At this date, too, the old ferocity out of which such encounters had originally sprung was still strong in men's hearts. Whenever a duel was fought, accordingly, no matter what it was that had brought them to the field, it was almost certain to have a mortal issue to at least one of the combatants. The spirit of form had not yet come to exercise such controul as to exclude

* Honour and Virtue triumphing over the Grave; exemplified in a fair devout Life and Death . . . . of Edward Lord Stafford. By Anth. Stafford, his most humble Kinsman. *p.* 55.

passion from the duel. That was not done till it had been reduced, in ordinary cases, to little more than an affair of chance by the adoption of the pistol. Almost the only thing proper to the original duel that remained after this was the ingredient of danger. The change of the weapon at once put an end to all exertion of bodily effort by which any heat of blood that existed might be further inflamed: it converted the duel from a contest into a mere exposure, from its previous active character into something very nearly passive. It also contracted the duration of the encounter to a few minutes or a few moments. This is evidently the last stage through which the custom of private war has to pass before its extinction.

One of the most memorable of old English duels is the one now to be related. It has been honoured by the notice of Clarendon and of Steele; and we have a most vivid report of it by one of the parties by whom it was fought.

Edward Lord Bruce was the son and successor of that Bruce, then styled Lord or Abbot of Kinloss, who was one of the agents for King James in his secret correspondence with Cecil immediately before the death of Queen Elizabeth.* The adroit negociator, having obtained a grant of the lands of the Abbey of Kinloss in the county of Elgin, had been in February 1602 created by James a Lord of Parliament in Scotland, with the title of Baron Bruce of Kinloss, and had after his Majesty acquired his English throne been further

* See *Vol.* II. *p.* 41.

rewarded with the place of Master of the Rolls, in which he had died in January 1611. He lies buried in the Rolls Chapel in Chancery Lane. He appears to have been commonly known as Lord Kinloss; his son called himself Lord Bruce.

On the 9th of January 1613 Chamberlain writes from London to his friend Winwood:—"There is a quarrel fallen out betwixt Edward Sackville, son to the late Earl of Dorset, and the Lord Bruce of Kinloss, which was to be determined beyond sea. Sackville got over, but the Lord Bruce staid at Dover, where we learn these late winds and tempests have done great harm, and in a manner ruined or defaced the pier or haven."* Edward Sackville was the second son of Robert second Earl of Dorset, who was the son of Thomas the first Earl, better known as Sackville Lord Buckhurst, by which title he was ennobled in 1566, and more memorable as the author of the "Induction" and the "Legend of Henry Duke of Buckingham" in the *Mirror for Magistrates*, written before he was thirty, than as the successor of Burghley in the office of Lord Treasurer, in which he died in 1608 at the age of eighty-one. Edward's elder brother, Richard, the third and present Earl, had come to the title in 1609 on the death of his father, who enjoyed it not quite a year.

It is not certainly known how or about what Sackville and Bruce had fallen out; Clarendon says that it was "upon a subject very unwarrantable;" and from other expressions which he drops it may be gathered that a

* *Winwood*, III. 422.

lady was in question. The tradition is, that Sackville had seduced Bruce's sister. It would seem, however, that for the present they were induced to forego their intention of fighting, upon which Sackville returned from the Continent. But in the beginning of May Chamberlain informs Winwood that "the old quarrel" had been recently renewed on occasion of their meeting at Canterbury when the Prince Palatine was there. "My Lord," he says, "bare away two or three good buffets on the face (for Sackville had no weapon, having given his weapon instantly before to the Palsgrave); and so they were parted and made friends by the noblemen that were present. The Lord Bruce is since gone into France, I think, to learn to fence."* In the circumstances, his taking some such step was not to be wondered at, if he had still that accomplishment to acquire.

About two months appear to have passed away, and then Bruce wrote to Sackville from Paris. These were the terms of his letter:—"I, that am in France, hear how much you attribute to yourself in this time, that I have given the world leave to ring your praises, and for me, the truest almanac, to tell you how much I suffer. If you call to memory, whenas I gave you my hand last, I told you I reserved the heart for a truer reconciliation. Now be that noble gentleman my love once spoke, and come and do him right that could recite the trials you owe your birth and country, were I not confident your honour gives you the same courage to do me right that it did to do me wrong. Be master of your

* *Winwood*, III. 454.

own weapons and time; the place wheresoever, I will wait on you. By doing this you shall shorten revenge, and clear the idle opinion the world hath of both our worths.—Ed. Bruce."*

As in other such unhappy cases, then, the two adversaries, one of them at least now burning to wash his honour bright in the other's blood, had once been loving friends. In Bruce's letter, under all its affectation of phrase, which is to be set down rather to the time than to the writer, we may read intense suffering, and also, with some egotistic sensitiveness, a not ungenerous nature. The letter was brought from Paris by a Scottish gentleman, who delivered it to Sackville at Croxall, in Derbyshire, the house of his father-in-law, Sir George Curzon. He at once replied as follows, addressing his letter *A Monsieur, Monsieur Baron de Kinloss*:—"As it shall be always far from me to seek a quarrel, so will I always be ready to meet with any that is desirous to make trial of my valour by so fair a course as you require. A witness whereof yourself shall be, who within a month shall receive a strict account of time, place, and weapon; where you shall find me, ready disposed to give honourable satisfaction, by him that shall conduct you thither. In the mean time be as secret of the appointment as it seems you are desirous of it. E. Sackville." Then, losing no time in making

* This and the other letters were first published by Steele in the *Guardian;* Nos. 129 and 133, in August 1713. Steele merely says that he can assure the reader they are genuine. They are given, with some slight variations, by Collins (who does not seem to have been aware of their having been previously printed) in the 1735 and subsequent editions of his *Peerage*, under the account of the *Dukes of Dorset*, as from a Manuscript in the Library of Queen's College, Oxford.

his way across the sea, as soon as he landed at Rotterdam he dispatched a servant post to his opponent with his promised assignation of place and weapon. On the 10th of August he wrote to him again from a place called in the various accounts Tergose, or Tergosa, in Zealand, (that is, I suppose, *Gouda*, often called *Ter Gouw*), to the effect that he was there, accompanied by a friend of the degree of a knight, who would act as his second, and that thither he should expect his lordship to make repair as speedily as he conveniently might. Bruce instantly answered: — "I have received your letter by your man, and acknowledge you have dealt nobly with me. And now I come with all possible haste to meet you."

Accordingly, on the 15th of this month Mr. Beaulieu writes from Paris to Mr. Trumbull at Brussels: — "The Lord Bruce is within these few days departed secretly from hence into the Low Countries, there to meet and fight, as we understand, with Mr. Sackville, with whom he had a quarrel in England."*

The parties met at the appointed place, Bruce bringing with him a Mr. Crawford, an English gentleman, as his second, and also a surgeon, with a servant. Sackville's second was Sir John Heydon; and he too had a surgeon with him. As soon as they were all met Sackville, addressing his second, observed that every thing ought from that moment to be done by common consent in regard to both the terms on which they should fight and the place where. The two seconds, having been then empowered to make all arrangements,

* *Winwood*, III. 476.

agreed that they should proceed to a spot mid-way between Antwerp and Bergen-op-Zoom, where only a village divided the territory of the States (or United Provinces) from that of the Archduke (or Netherlands), in order that, after the affair should be over, those who could might instantly take refuge in the dominion the laws of which had not been broken. In case either party should fall or slip while they were fighting, the combat was to cease, and "he whose ill-fortune had so subjected him was to acknowledge his life to have been in the other's hands." But, in the event of either's sword breaking, that being nothing but pure accident, the other was to take no advantage, but either they were then to be made friends (as if the quarrel had been fought out), "or else, upon even terms, go to it again." These conditions, being reported to each by his own second, were approved and assented to by the two principals; and then they all got on board ship with the intention of proceeding to Antwerp. It would appear, however, that they disembarked not far from Bergen.

It was now found that Bruce had omitted to pair the sword that Sackville had sent him to Paris, probably because he could not have easily done it without danger of his design being discovered; he had brought one of the same length but twice as broad. In these circumstances Sackville, by Heydon's advice, had his sword matched himself, and sent the two weapons to his lordship that he might take which he liked. Bruce chose Sackville's own; and then he told Heydon, by whom they had been brought to him, that he found himself

so far behind-hand* that a little of his opponent's blood would not serve his turn, and therefore he was now resolved to have him alone,—in other words that they should fight without seconds; he knew, he said, that, as Sackville's friend, and being the worthy gentleman that he was, Heydon could not stand by and see him do that which he must do to satisfy himself and his honour. Heydon replied that such intentions were bloody and butcherly, and very unsuitable to a personage of his lordship's nobility, whose object ought to be the maintaining of his own reputtation, not the destruction of his adversary. Besides, he should think himself injured in now being prohibited from executing the honourable office for which he had come so far. His lordship's only answer was to repeat what he had already said.

All this is from Sackville's relation; but it has all the air of truth and scrupulous correctness. When his opponent's determination was reported to him, not the matter but the manner, he tells us, so moved him, that, although he had not, to his remembrance, of a long while eaten more heartily than he had done at dinner that day, and was therefore not in the best condition for fighting (seeing that a wound upon a full stomach is held by the surgeons to be much more dangerous than at another time), he requested Heydon to go back and inform his lordship that he was ready to decide their difference on the instant, and to request therefore that they should both ride forth together immediately, attended only by the two surgeons, who

* See *ante*, p. 310.

were unarmed. They mounted their horses, accordingly, and rode about two English miles, the one about twelve score paces before the other. It appears that they stopped in a small triangular piece of ground, divided by an earthen enclosure from the adjacent cornfields, about a mile and a half to the south of Bergen. What follows must be given in Sackville's own fiery words, in which the frenzy of the desperate struggle still lives and glows:—"Then passion, having so weak an enemy to assail as my discretion, easily became victor, and, using his power, made me obedient to his commands; I being verily mad with anger the Lord Bruce should thirst after my life with a kind of assuredness, seeing I had come so far and needlessly [that is, unnecessarily, or when he might without dishonour have refused] to give him leave to regain his lost reputation. I bade him alight, which, with all willingness, he quickly granted; and there, in a meadow, ancle deep in water at the least, bidding farewell to our doublets, in our shirts, [we] began to charge each other, having afore commanded our surgeons to withdraw themselves a pretty distance from us, conjuring them besides, as they respected our favours or their own safeties, not to stir, but suffer us to execute our pleasures; we being fully resolved (God forgive us!) to dispatch each other by what means we could. I made a thrust at my enemy, but was short, and in drawing back my arm I received a great wound thereon, which I interpreted as a reward for my short-shooting; but, in revenge, I pressed in to him, though I then missed him also, and then received a wound in my right pap, which passed level through

my body, and almost to my back. And there we wrestled for the two greatest and dearest prizes we could ever expect trial for, honour and life. In which struggling, my hand, having but an ordinary glove on it, lost one of her servants, though the meanest (which hung by a skin, and to sight yet remaineth as before, and I am put in hope one day to recover the use of it again). But at last, breathless, yet keeping our holds, there passed on both sides propositions of quitting each other's sword. But when amity was dead confidence could not live; and who should quit, first was the question; which on neither part either would perform; and, restriving again afresh, with a kick and a wrench together I freed my long captived weapon. Which incontinently levying at his throat, being master still of his, I demanded if he would ask his life, or yield his sword. Both which, in that imminent danger, he bravely denied to do. Myself being wounded, and feeling loss of blood, having three conduits running on me, began to make me faint; and he courageously persisting not to accord to either of my propositions; [excited by] remembrance of his former bloody desire and feeling of my present estate, I struck at his heart, but, with his avoiding, missed my aim, yet passed through the body, and, drawing back my sword, repassed it through again through another place; when he cried, *Oh! I am slain;* seconding his speech with all the force he had, to cast me. But, being too weak, after I had defended his assault I easily became master of him, laying him on his back; when, being upon him, I redemanded if he would request his life; but it

seemed he prized it not at so dear a rate to be beholding for it, bravely replying he scorned it. Which answer of his was so noble and worthy, as I protest I could not find in my heart to offer him any more violence, only keeping him down; till at length his surgeon afar off cried out, he would immediately die if his wounds were not stopped. Whereupon I asked if he desired his surgeon should come; which he accepted of; and, so being drawn away, I never offered to take his sword, accounting it inhuman to rob a dead man, for so I held him to be. This thus ended, I returned to my surgeon, in whose arms after I had remained awhile, for want of blood I lost my sight, and withal, as I then thought, my life also. But strong water and his diligence quickly recovered me; when I escaped a great danger. For my lord's surgeon, when nobody dreamt of it, came full at me with his lord's sword; and, had not mine with my sword interposed himself, I had been slain by those base hands, although my Lord Bruce, weltering in his blood and past all expectation of life, conformable to all his former carriage, which was undoubtedly noble, cried out, *Rascal! hold thy hand.*"

This narrative, which is dated from Louvaine the 8th of September, and which he requests the friend to whom it is addressed to deliver, with an inclosed letter, to the Lord Chamberlain (the Earl of Suffolk), concludes with a protestation by Sackville of the entire sincerity with which it is written; and it is manifestly as true as he could make it. Bruce died on the spot. His body was interred in the great Church of Bergen, where

a portion of a monument marking the spot is still to be seen, or at least was a few years ago. It is described as being fixed or built in the wall of the church, about seven or eight feet above the ground, and to have been formerly protected by an iron railing; but, it is added, "the slab which probably bore the inscription, and also the other parts of the monument, have been entirely destroyed."* It is not easy to understand from this account what it is that remains. The monument was, it seems, reduced to its present state during the siege of Bergen by the French in 1747, when most of the others in the same church were also laid in ruins. It was found, however, on "a particular and careful inquiry" being made in 1814, that the tradition of the duel was still familiar to the inhabitants at that date. The spot where it was fought was still known by the name of *Bruce-land;* and one of the circumstances with which the popular imagination had decorated the story was, that the ground had been previously purchased by the parties for the purpose of fighting upon it. At all events, it still remained, we are told, without a known owner; and down to the time of the French Revolution of 1789 "was considered as free ground, where any person might take refuge without being liable to arrest."† It would be curious to know the true history or origin of this singular right of sanctuary.

But the memory of the unfortunate young nobleman, and of his bloody death, had also been preserved in his native country. There had always been a tradition in Scotland that his heart had been sent over from

* *Archæologia*, XX. 518. † *Ib.* XX. 517.

Holland, and that it was interred in the family vault or burying-ground adjoining to the old Abbey Church of Culross in Perthshire, where his father had built the magnificent seat called Culross Abbey, still standing. And, on a search being made in the year 1808, the belief transmitted for two centuries, without record or other memorial than the faithful speech of the people, was proved to be well-founded. About two feet below the level of the pavement, and partly under an old projection of the wall of the church, two flat stones were discovered, measuring each four feet by two, strongly fastened together with iron; they bore no inscription, but when they were separated they were found to inclose in a hollow between them a silver case shaped like a heart. It was evidently of foreign workmanship. On the lid were engraved the words *Edward Lord Bruse,* with a coat of arms intended for that of the Bruce family, and a delineation of the ramification of the veins in a human heart. There were two hinges at the broad end, and two clasps near the opposite extremity or point, to which a ring was attached. On the case being opened it was found to contain a heart carefully embalmed in a liquid of a brownish colour. Accurate drawings were taken both of the case, which was only opened twice, and of the appearance presented by the wrinkled remnant that had been trusted to its keeping, once the seat of life and passion and so high a spirit; and then everything was reverentially replaced as before. "There was also," it is stated, "a small leaden box between the stones in another excavation; the contents of which, whatever they might have been

originally, appeared now reduced to dust." The spot has been since indicated by a brass plate exhibiting an engraving of the silver case, with a short inscription.*

The second Lord Bruce, who perished thus tragically, was not married, and was succeeded in the title by a younger brother Thomas, who, in 1633, was created Earl of Elgin, and in 1641 was made an English peer by the title of Baron Bruce. His son Robert, second Earl of Elgin, was, in 1664, created Earl of Ailesbury in the English peerage; and both his Scottish and his English honours descended to his son and grandson. But on the death of the latter, without male issue, in 1747, the Earldom of Ailesbury became extinct, and that of Elgin was inherited by Charles Bruce, ninth Earl of Kincardine, from whom it has decended to his great-grandson, the present peer, who is the eighth Earl of Elgin and the twelfth of Kincardine.

Lord Bruce's house and estate of Culross, near the royal borough of that name, which stands on the north shore of the Frith of Forth, and, although politically in the county of Perth, is locally in that of Fife, appear to have come into the possession of the Earls of Kincardine, the first of whom was his uncle's grandson, Edward Bruce, so created in 1647. On the death, in 1705, of Alexander, third Earl of Kincardine, who left no issue, the property passed to his elder sister, Mary, wife of William Cochrane, Esquire, of Ochiltree, whose seventh

* "Account of the Discovery of the Heart of Lord Edward Bruce [Edward Lord Bruce], at Culross in Perthshire; in a Letter from the Right Honourable Lord Stowell," (read 28th February, 1822); in *Archæologia, Vol.* XX. *pp.* 515—518 (London, 1824).

son, Thomas, having survived his six elder brothers, succeeded fifty-three years afterwards to the Earldom of Dundonald. His son, however, the ninth Earl of Dundonald, father of the present peer, sold Culross Abbey soon after the beginning of the present century to the late Sir Robert Preston of Valleyfield, Baronet, by whom the search for the heart of Lord Bruce was instituted.

The catastrophe of the young Scottish nobleman appears to have, in the first instance, excited the public feeling in this country somewhat strongly against the survivor in the tragical affair. Chamberlain writing to Carleton from London on the 9th of September, observes that his friend has no doubt already heard of the success (or issue) of the combat (which he speaks of as having been fought between Antwerp and Lillo); and then, after mentioning that they were both hurt, "the Lord Bruce to the death," he adds, that Sackville was in consequence driven to take sanctuary, whence he was said to have since, by corruption or connivance, made his escape.* Sackville did not remain long abroad. In another letter to Carleton, dated the 25th of November, Chamberlain relates that his name had been originally down in the list of the persons who were to perform in certain forthcoming court masques, but had been put out again; "and I wonder," he says, "he would offer himself, knowing how little gracious he is, and that he hath been assaulted once or twice since his return." †

* *Sloane MS.* 4173; *fol.* 318. † *Ibid. fol.* 324 r°.

Sackville when he fought this duel, though he was already a married man, was only three and twenty. About ten years afterwards (in March 1624) he became, by the death of his brother, Earl of Dorset; and he acted a considerable part in the great drama of the reign of Charles the First. Clarendon has sketched him alongside of, or rather over against, the Earl of Montgomery, compared with whom he represents him as being "to all intents, principles, and purposes, another man; his person beautiful, and graceful, and vigorous; his wit pleasant, sparkling, and sublime; and his other parts of learning and language of that lustre that he could not miscarry in the world." "The vices he had," it is added, "were of the age, which he was not stubborn enough to contemn or resist." He had been, it seems, the favourite grandchild of the first Earl, the poet and Lord Treasurer, who took great care of and delight in his education, "and left him a good support for a younger brother; besides a wife, who was heir to a fair fortune." This was, as has been already mentioned, the daughter of Sir George Curzon of Croxhall, in Derbyshire; she was an only child, and through her that considerable estate came to Sackville and his descendants, in whose line it remained till it was sold by the third Duke of Dorset in the latter part of the last century to Thomas Prinsep, Esq., the great agriculturist.

"As his person and parts," Clarendon continues, "were such as are before mentioned, so he gave them full scope, without restraint; and indulged to his appetite all the pleasures that season of his life (the

fullest of jollity and riot of any that preceded or succeeded) could tempt or suggest to him." He then notices the duel with Lord Bruce, which he speaks of as having been fought under the walls of Antwerp, and from which he says Sackville (whom he is mistaken in describing as having been then knighted*) "retired into the next monastery, which was at hand." "Nor," the historian adds, "did this miserable accident, which he always exceedingly lamented, make that thorough impression upon him, but that he indulged still too much to those importunate and insatiate appetites, even of that individual person, that had so lately embarked him in that desperate enterprize; being too much tinder not to be inflamed with those sparks."

In the few years that his elder brother enjoyed the Earldom, he so entirely, Clarendon affirms, consumed the great fortune that had descended to him, "by an excess of expense in all the ways to which money can be applied," that he left nothing to support the title; which exposed his successor to many difficulties and inconveniences. "Yet," the panegyric concludes, "his known great parts, and the very good general reputation he had acquired, notwithstanding his defects (for, as he was eminent in the House of Commons whilst he sat there, so he shined in the House of Peers when he came to move in that sphere), inclined King James to call him to his Privy Council, before his death. And, if he had not too much cherished his natural constitution and propensity, and been too much grieved and

* Clarendon is also mistaken in supposing that the Lord Treasurer survived his son, the father of Edward Sackville.

wrung by an uneasy and strait fortune, he would have been an excellent man of business; for he had a very sharp, discerning spirit, and was a man of an obliging nature, much honour, and great generosity, and of most entire fidelity to the crown."* Upon this last point it may suffice to mention that he is said to have taken the execution of the King so much to heart as never to have afterwards stirred out of his house. He survived in this state of voluntary imprisonment for more than three years; his death took place at Dorset House, in Salisbury Court, London, on Saturday the 17th of July 1652.

Edward, fourth Earl of Dorset, was succeeded in the title by his eldest son Richard. Richard's son, Charles, the sixth Earl, the author of the well known sea-song "To all you ladies now on land," and one of the most distinguished wits of the Court of Charles the Second, was in 1675, during the lifetime of his father, created Earl of Middlesex. His son, Lionel Cranfield, the seventh Earl, was made Duke of Dorset in 1720. His son Lord George Sackville, who took the name of Germaine in 1770, and was created Viscount Sackville in 1782, was the father of Charles Sackville Germaine, who succeeded as fifth Duke in 1815, and died unmarried in 1843, when all the family titles became extinct.

* *Hist. Rebell. Book* I.

THE LORD CRICHTON OF SANQUHAR.

Both the duel between Wharton and Stuart, and that between Sackville and Bruce, were characterised by the circumstance that the parties were one of them of English and the other of Scottish birth. And many of the other quarrels and murderous animosities of this date were envenomed and inflamed by the same ingredient.

This is one of the texts upon which Francis Osborne dilates in his *Traditional Memorials of the Reign of King James*. Osborne, writing in the next age, from indistinct memory at the best, and oftener from still more fallacious hearsay, makes many mistakes as to minute particulars; and his rhetorical tendency and extreme love of emphasis no doubt carry him into some exaggeration now and then: he is evidently very vain of his style, which, especially in his celebrated *Advice to his Son*, is frequently striking and expressive, but in his historical writings is at least as remarkable for its pedantry as for its pith or point. He is rather less of a systematic libeller, however, than Weldon and Peyton; and, though conceited enough, he has not so narrow an understanding as Wilson.

The first illustration that he gives of the manner in

which "this nation," as he expresses it, "was rooted up by those Caledonian boars," and of the ill blood thereby excited, is the assault committed upon Philip Herbert Earl of Montgomery by Ramsay Lord Haddington, who switched him over the face one day at Croydon: "it was at a horse-race," says Osborne, "where many both Scotch and English met; the latter of which did, upon this accident, draw together, with a resolution to make it a national quarrel, so far as Mr. John Pinch-back, though a married man, having but the perfect use of two fingers, rode about with his dagger in his hand, crying, 'Let us break our fast with them here, and dine with the rest at London.' But, Herbert not offering to strike again, there was nothing spilt but the reputation of a gentleman; in lieu of which, if I am not mistaken, the King made him a Knight, a Baron, a Viscount, and an Earl in one day."* But here our historian is altogether mistaken. The switching at Croydon took place in March 1612; and Herbert had been created Baron Herbert and Earl of Montgomery (he was never made a Viscount) in May 1605. Sir John Ramsay, who had borne a principal part in the bloodshed of the 5th of August 1600, his having been the hand that both struck the first dagger into the body of Alexander Ruthven and that afterwards dispatched his brother the Earl, had been created Viscount Haddington in the peerage of Scotland in 1606. Osborne had heard that Herbert's mother (Mary Countess of Pembroke, the famous sister of Sir Philip Sidney, after whom no doubt his degenerate

* *Secret History of King James*, I. 220.

nephew had been named) "tore her hair at the report of her son's dishonour." The King, he observes, was also much troubled at what had happened, and could not at first think without trembling upon the consequences it might have produced; while in that mood inveighing with equal sharpness against the insolence of the Scots and the folly of the English. But he soon returned to his wonted "careful reverence to his own countrymen," a sentiment which had been awakened in him, Osborne intimates (with an allusion to the murder of Rizzio), while he was yet in his mother's womb. Ramsay, it is added, was banished the court: he was, in fact, sent to the Tower, though it does not appear that he was kept there long. Some years afterwards he went abroad: Dugdale says that he retired out of the kingdom with his Majesty's leave in 1618. However he soon returned; and, rising to greater favour with James than ever, was in January 1621 created an English peer by the title of Earl of Holderness. But although he had been twice married he left no posterity, and when he died in 1625 his honours, both English and Scotch, all became extinct.

One thing Osborne notes as having been remarkable at "Croydon field," namely, that the only Englishman who took the side of the Scots was Sir Edward Sackville, "and he out of love to the Lord Bruce, whom after he killed in a duel." This conduct of Sackville's, it is added, was so ill taken by his countrymen, that it was believed if the fray had gone on he would have been the first person to lose his life.

Another case which fell out about the same time, and which made a much greater sensation, is very shortly adverted to by Osborne as that of the Lord *Zankor*.

Robert Crichton sixth Baron Crichton of Sanquhar, in the peerage of Scotland, was the head of a family which had been ennobled in 1488, and had been of knightly rank from a much more distant date. His father must have died before 1571; for in that year his mother married a second husband.* The earliest transaction in which he appears is a contract which he is stated to have entered into in 1596 with James Crichton of Carco, described as one of the discreetest and wisest gentlemen of his kindred, and a person much in his confidence, with whom he engaged that, failing heirs male of his own body, he should assign his Barony to some one bearing the surname and arms of Crichton. His considerate relation, we are told, was moved to negotiate such an arrangement, as "doubting the youth and rashness of his chief, who was much given to idle voyages and gadding abroad, and finding the less appearance of his settling at home and marrying."† The assignment of peerages, whether for money or for some other consideration, was formerly not an uncommon proceeding in Scotland; sometimes the dignity was resigned into the hands of the crown, and another patent or charter taken out with a different destination of it; in other cases a nobleman seems to have conceived that he might dispose of his peerage as freely as he might of his lands. After the accession of

* *Wood's Douglas*, I. 449. † *Id.* II. 731.

the Scottish kings to the throne of England these practices began to be discountenanced and resisted; and at last they came to be regarded as quite irregular and illegal; but it may be remarked that in several even of the later Scottish patents the right of assigning the dignity is conferred in express terms upon the original grantee.

The Lord Sanquhar, who had evidently no narrow patriotic prejudices or predilections, but would rather seem to have preferred any other country to his own, was probably among the first of the Scottish expectants who followed James to his new kingdom. He was exactly the sort of person to make a figure at Court. In the splendid masque performed at the marriage of the Lord Haddington (who afterwards switched Montgomery) to the Lady Elizabeth Radcliffe, daughter of the Earl of Sussex, on the 8th of February 1608, Sanquhar was one of the seven Scottish performers who were joined in the representation with five English personages of distinction,—the Duke of Lennox heading the one party, the Earl of Arundel the other. It would cost them, it was calculated, about three hundred pounds each.* Sanquhar was probably more "on pleasure bent" than on profit; but, inasmuch as the former often is not to be had without something of the latter, he would be glad of that too when it came in his way. On the 10th of January 1612, it is noted, he had a grant of the house in Perth which had formerly been the residence of the Earls of Gowrie.†

* *Lodge*, III. 223. An account of the marriage and the masque is given by Chamberlain to Carleton, in a letter written in a few days after.

† *Wood's Douglas*, I. 449.

About four months after this, London was startled by a murder committed in the heart of the city in open day, which all men soon agreed in believing to have been done at the procurement of the Lord Sanquhar.

So long ago as in the year 1605, it appeared, his lordship, being on a visit at Ricot, in Oxfordshire, the seat of Lord Norris, had there met with John Turner, a fencing-master, with whom he engaged in a match with foils, when he received a thrust from Turner's weapon which deprived him of the sight of one of his eyes. And now after seven years he had avenged this injury by getting Turner assassinated.

The fencing-master was sitting about seven o'clock in the evening of Monday the 11th of May drinking with a friend at the door of a public-house in Whitefriars, at which he was wont to call in returning home from his school in the neighbourhood, when two Scotchmen, Robert Carlyle and James Irweng, or Irving, came up to them; they seem to have been acquaintances, for it is stated that after they had saluted one another Turner asked the Scotchmen to drink; Carlyle turned round for a moment, and then drew a pistol from under his coat and, presenting it at his long-sought victim, sent the charge into his left breast and through his heart. "Lord have mercy upon me! I am killed," exclaimed the poor man, and instantly dropped down dead. The murderer and his companion took to their heels as soon as the deed was done; but Irving, making for the river and mistaking his way in that intricate region of Alsatia, got into a court where there was no thorough-

fare (Sir Edward Coke describes it as occupied by persons who sold wood), and was there taken. Carlyle, flying in another direction, succeeded in getting to some hiding-place in the city, from which he afterwards made his escape to Scotland.

Sanquhar appears to have been suspected at once. Probably his feeling about Turner was generally known. Chamberlain, in relating the story to Carleton a few days afterwards, speaks of his lordship's "old grudge" against the fencing-master for the loss of his eye, as if it were a thing of which every body had heard. Sanquhar confirmed the universal belief of his guilt by withdrawing himself from public view: one account makes him to have concealed himself in London; according to another he fled to the country.

Hearing, however, that a proclamation was about to be issued for his apprehension, on the Thursday following the murder he presented himself at Lambeth Palace, and delivered himself up to Archbishop Abbot. He declared that he had had no part in the crime that had been committed. Irving, as he no doubt knew, had dropt nothing that could touch him.

But on Sunday the 17th another person, also a Scotchman, Gilbert Gray, was brought in from Harwich, where he was about to take ship for Denmark or Sweden; Wilson says he was actually on board a ship bound for Hamburgh, and had been driven back into port, after having set sail, by stress of weather.* Gray confessed that he had been long ago hired by the Lord

* "Who, 'scaping in a storm, the seas delivered up."—*Hist. of King James*, 60.

Sanquhar to murder Turner; but, having lost heart when the critical moment came, he had run away and was trying to get out of the country. He had been Carlyle's first confederate, and he had only in this way abandoned the design two days before it was actually executed.

Yet his confession afforded nothing more than presumptive proof against Sanquhar. It was evidence that his lordship had once sought Turner's life, but not that he had had anything to do with the murder since perpetrated by Carlyle. His lordship, however, on being confronted with Gray in presence of the Privy Council thought it useless any longer to hold out; upon which he was immediately committed to the prison of the King's Bench.

Still there were difficulties in the case. The rule of law would not allow an accessory to be put upon his trial while the principal remained unattainted; and Carlyle, the only one of the principals in reference to whom it was held that Sanquhar could be regarded as an accessory, was believed to be in Scotland, in another kingdom, where he could not be apprehended by process of English law. The first thing, clearly, was to get hold of Carlyle. This matter appears to have been discussed even before Sanquhar surrendered himself, and as soon indeed as any consultation was taken as to what behoved to be done. Coke states that King James, in his zeal for justice, immediately upon hearing of the murder sent for the two Chief Justices and the Chief Baron, "and commanded there should be speedy proceeding against the Lord Sanquhar according to law." And thereupon the

great lawyer lauds to the skies the conduct of his Majesty, who, finding the ordinary powers of the law insufficient, both issued his royal proclamation, authorizing any person whatsoever throughout his dominions to apprehend Sanquhar, Carlyle, and Gray, and offering large rewards for their capture alive or dead, and sent post after them both to the outports and into Scotland, and also to "other places of his dominions where his admirable prudence had hopes of finding them." Bacon, in like manner, in his speech as Solicitor General on Sanquhar's trial attributed the honour of the discovery and punishment of the crime, next after God, to his Majesty; whom he represented as having not only sent forth his proclamation against the murderers, devised and in fact directed by himself, but as having evinced in the affair a kind of prophetical intelligence; "for," said Bacon, "at what time Carlyle and Gray, and you, my Lord, yourself (addressing the prisoner), were fled no man knew whither to the four winds, the King ever spake in a confident and undertaking manner, that, wheresoever the offenders were in Europe, he would produce them forth to justice; of which words God hath made him master."*

* The rewards offered by the proclamation were 500*l.* for Sanquhar alive, or 300*l.* for him dead; and 100*l.* for Carlyle alive, of 50*l.* for him dead. It would appear from Chamberlain's account to have been issued on the afternoon of the same day on which his lordship came to Lambeth. (Letter to Carleton, 20th May, 1612, in *Sloane MS.* 4173, *fol.* 318, r°). Coke seems to say that he did not surrender till after the proclamation appeared. Then, it is added, when upon Gray's apprehension he was by his Majesty's direction confronted with that person, "and particularly examined touching certain articles, special and pertinent, dictated by his

News soon came from Scotland that Carlyle too was taken; he had crossed the Border, and was under his own roof, probably in Roxburgh or Dumfriesshire; Bacon's account, in his speech, is that he was got hold of "ere he was warm in his house," and was then by his Majesty's great vigilance brought all the length of England "under such safe watch and custody as he could have no means to escape, nor learn no lessons to stand mute." If he had stood mute, or refused to plead, though he might have been put to death by the *peine forte et dure*, he could not have been convicted, or attainted; and in that case the bringing of Sanquhar to trial, as only an accessory, though before the fact, would have been against the rule of law.

Robert Johnstone, in whose very incorrectly printed and not very correctly written volume Irving is called Edwin (*Iacobum Eduinum*), says that he and Carlyle (whom he makes to have been both caught on the Borders, and to have been brought up thence to London in chains) could not be got to utter a word by which their master might be endangered till they learned that he had himself confessed his guilt; but here Carlyle is probably confounded with Gray. At all events, the undoubted murderer being now in custody, it was determined that he and Irving should be first tried. They were accordingly indicted at the

Majesty himself," he confessed "by writing under his own hand" that he had incited and procured the assassination; "and, being pressed thereupon by the questions, he discovered a long and inveterate malice which he had had, with all the occasions and material circumstances of this murder."—(*Reports*, iv. 121.)

Old Bailey on Tuesday the 23rd of June; and, being both found guilty (Carlyle on his own confession), they were at an early hour on the Wednesday or Thursday morning hanged in Fleet Street, on two gibbets set up "directly over against the Great Gate of the Whitefriars," or at the end of the present Bouverie Street. "Note also," writes one who saw the bodies hanging, "that one of those gibbets was higher than the other by the length of a man or thereabouts; and I, demanding the reason thereof, was answered by a stander-by, that the manner of Scotland is, that, when a gentleman is hanged with a man of meaner quality than himself, the gentleman hath the honour of the higher gibbet, and thinks himself much wronged if he be not so disposed of. Whether this answer was serious, or by way of scorn, let him that desireth to be resolved by enquiry resolve himself."* Carlyle was probably the one whose pretensions were the most aristocratic, though he and Irving were alike designated *yeomen* in the indictment.

It is very clear that what in the public oratory and formal phraseology of the time was decently denominated James's zeal for justice in this affair was composed quite as much of terror as of any higher emotion. Chamberlain, writing to Carleton nine days after the murder, speaks of his Majesty as having "been much troubled and perplexed by these matters," meaning the many recent collisions between Englishmen and Scotchmen. He had given orders, Chamberlain adds, that Turner's body should be privately buried, "to avoid

* *State Trials*, II. 755.

concourse of people, that might breed inconvenience." It was already anticipated that Sanquhar's life would be exacted.* Spotswood speaks of the crime, "committed in the City of London, and so near to the King's Court," as having "caused such a heart-burning among the people as it was not far from breaking forth into a general commotion," had not his Majesty by the course he took prevented the danger.† Johnstone, in like manner, tells us of the great clamour and murmuring of the people, demanding revenge; and of the cry of the multitude increasing in vehemence, and directing itself especially against him who was universally believed to be the instigator of the foul act. Afterwards he affirms in express terms that the severity with which Turner's death was avenged sprung from the fear and danger of a popular commotion.‡

His two instruments having been disposed of, the noble instigator of the assassination could now be dealt with. It would appear that he had at first demanded to be tried in the court of the Lord High Steward; but his Scottish peerage was not held to entitle him to that advantage, or honour, in England. He was arraigned on Thursday the 25th of June § in the Court of King's Bench by the name of Robert Crichton, Esquire. On this occasion he pleaded Not Guilty; but that was done merely as a matter of form. When he was again brought to the bar on Saturday the 27th, and when after the indictment had been read he was asked by the

* *Sloane MS.* 4173, *fol.* 234 r°.
† *History*, 517.
‡ *Hist. Rev. Brit.* 482.
§ *Balfour*, II. 39.

Clerk of the Crown whether he was guilty or not, he replied in a long address. In pleading as he had done the other day at his arraignment, he said, he had not intended to retract a syllable of that which he had before confessed; his purpose was only to gain time for the arrangement of some temporal affairs, and for the better preparing of his soul for her departure from his body. Any longer life was what he neither expected, nor much desired. If the English law (of which he was altogether ignorant) would permit him, he would now withdraw his plea of Not Guilty. In any case, he would give such evidence against himself as should make any other unnecessary. He would only mention some circumstances, not to extenuate his crime, but which yet perhaps might move their lordships and the audience to pity his case; though he feared he might not express himself as he could wish, both from his natural inability, and from his lacking "the perfect use of the phrase of this country."

He then proceeded to recount the history of the fatal affair from its commencement. He had been persuaded in his soul and conscience that Turner had put out his eye willingly and of set purpose. "At the taking up of the foils," he said, "I protested unto him I played but as a scholar, and not as one that would contend with a master in his own profession, and thereupon requested him that he would play as with a scholar; the order whereof, though it be unknown to your lordships, yet to divers honourable personages that are present it is known to be, to spare the face." He confessed that he had ever after kept up a grudge

against Turner, though without any purpose of taking so high a revenge; but, having been trained up in the courts of princes and in arms, he had stood upon the terms of honour, not of religion, and thence had fallen out this act of dishonour; by which he owned that he had offended God, his Prince, his native country, this country, the murdered party, Turner's wife, children, and posterity, Carlyle (he is not stated to have mentioned Irving), who had suffered death on his account, and, lastly, his own soul.

He expressed his hope that his earnest prayers to God had now at last obtained pardon for his horrible sin; "for," said his lordship, "at my return from this place, the people (of whom I expected scorn and disgrace) did by their pity and clemency move that in me which the pride of mine own heart would not till then suffer me to see; then I became to have a sense and feeling of the foulness of my offence, which formerly I could not persuade myself was any more than a just revenge for so foul a wrong." For the relief of Turner's wife and posterity he had already done something, and he intended, God willing, to do more. As for the manner in which Carlyle had committed the murder, his lordship declared that in regard to that he had given no command. He confessed, however, that, at the request of Carlyle and Gray, he had given them pistols to bring themselves off after they should have killed Turner.*

He went on to notice divers scandalous reports

* The narrative in the *State* Trials, which professes to give a *verbatim* report of Sanquhar's speech, makes him to have added here:—"For him who is now suspected, I protest before God and all this company I never

which had gone abroad, derogatory to his reputation, which he declared was dearer to him than his life. It was asserted that he had made show of being reconciled to Turner; that, he protested, was utterly untrue. From the first, he repeated, he had retained a grudge in his soul against him, and had never made the least pretence of reconciliation with him. "Yet this, my Lords," he added, "I will say, that, if he would have confessed and sworn he did it not of purpose, and withal would have forsworn arms, I would have pardoned him: for, my Lords, I considered that it must be done either of set purpose or ignorantly; if the first, I had no occasion to pardon him; if the last, that is no excuse in a master; and therefore, for revenge of such a wrong, I thought him unworthy to bear arms." When he received his hurt he was so astonished that he thought he had been slain, and in the opinion of his physicians from Oxford and other places his life was in danger for many days. "Yet," he continued, "after some months recovering my strength, and getting some ease in mine eye, I went immediately over into France, and there continued two years, hoping of the recovery of mine eye again. At the King of Denmark's coming

knew him, nor spake with him, nor dealt either directly or indirectly with him in all my life." These words would seem to be applicable only to Irving; and they would imply that he was still alive. It is remarkable, too, that his lordship is made to speak throughout as if Carlyle were the only person who had yet suffered. The writer of the account, who was also the person that saw Carlyle and another on the two gibbets in Fleet Street, says of that other; "Whether it were Gray or no I cannot certainly affirm; but sure I am it was one that was with Carlyle when he did the fact, and I take it to be my Lord's page." Coke's account would seem to make it certain that Irving was hanged along with Carlyle.

hither [which was in July 1606] I came out of France; and, then hearing at Greenwich that Turner played there before the two Kings, I must confess that, after those prizes done, I sought for him up and down; and, if I had met him in any place of the Court, I was then resolved to have run him through, though I must confess the place had made my offence far greater. But, missing him there that day, the next day I went after him to London, and there sought after him for two days, but could not meet with him. The first news then I heard of him was that he was gone into the country unto the Lord Norris's; and so for that time I was prevented of my purpose. Before his return I went into Scotland; and after my return again I laid about for him, ever intending all this while to have acted it myself. But seeing the difficulty of it, both for that I was well known about the Whitefriars, where he dwelt and kept school, and yet did not myself know Turner, but carried others with me for my direction, I afterward agreed with two of my countrymen, who undertook the acting of this tragedy; but nothing ensued upon it, and therefore I desire I may conceal their names. After this my occasions called me over into France and other parts, so that my residence in this country was very little, till now at last I dealt with this unfortunate Carlyle, who took unto him one Gray for his partner and brought him unto me; and those two I directed to take a lodging in the Friars, the better to discover how myself might come to revenge myself on the person of Turner. But after some delay they told me I could with no conveniency come myself to do it;

but they said they would undertake it; to which I assented, but prescribed neither time nor manner how they could effect it. After this Gray fell quite off, and went to the ships for Denmark; which Carlyle came and told me, and withal that Turner was then gone out of town, but, since Gray had deceived him, he would have nobody but himself, and would assuredly kill him at his return, though it were with the loss of his own life. But, I being long delayed by two others whom formerly I spake of, and now also by these two, and seeing Gray gone, I thought that Carlyle had spoken this but to give me content, and the more to insinuate himself into my favour; so that I left him without any further direction, or much regard to his speech, and never heard more of him till I heard that Turner was slain. The time whereof and the manner, I protest before God and his angels, I was altogether ignorant of; for before that time I could with ease have gone over into France, for I had a license to travel and for transporting some horses." He then addressed himself to another aspersion which had been laid upon him, that he was an ill-natured fellow, ever revengeful and delighting in blood. He confessed that he had never been willing to put up with a wrong where upon terms of honour he might right himself, nor to pardon where he had it in his power to be revenged. But he declared that he had never been guilty of blood unto death till now, though he had had occasion to draw his sword both in the field and upon sudden violences, and had both given and received hurts. "Only," he added, "I must confess that, upon commission from the King

to suppress wrongs done me in my own country, I put divers of the Johnstones to death; but for that I hope I shall need neither to ask God nor man forgiveness."

He vehemently denied that he had ever attempted, as had been reported, to break prison and escape, protesting upon his salvation that no such course had been proposed to him by any one, or had ever entered his thoughts. And he concluded as follows:—"My Lords, and the rest of the honourable and worshipful presence, I desire in charity that you will consider these few circumstances to move you to pity:—1. The indignity I received from so mean a man; 2. That it was done willingly, for I have been informed he bragged of it after it was done; 3. The perpetual loss of mine eye; 4. The want of law to give satisfaction for such a loss; 5. The continual blemish I received thereby. Lastly, unto this I add my voluntary and free confession. Let me now add my last request to your lordships, that the King may be truly informed of these things. Contrition, confession, and satisfaction are the means to obtain pardon from God for our sins; and these many times do move the mercy of princes. Which if his Highness shall extend to me, I shall desire my life may be spent to do him service; or, if not, I shall most willingly submit myself to his Majesty's good pleasure, and yield to die." *

This man's nature was essentially anti-social; that was what made him a dangerous member of the community. He was not so constituted as readily

* *State Trials*, II. 750.

to submit his neck to the yoke of laws and rules made by other men; he would be in all things a law unto himself. The opinion of the majority was nothing to him; he recognised no right of dictation in a majority any more than in a minority. This made him a kind of wild beast walking about in society. If men generally were of such a nature society would not be possible, any more than it is among lions and tigers. Yet, with all his untamedness, he was evidently not without the elements of much that was good and high. Even in his retentive memory of his supposed wrong, and persevering pursuit of his victim, there was an idea or sentiment of justice, however mistaken a one; there was at least what has been called the wild justice of revenge. And strange and not unaffecting it is to see how he had attracted and attached to himself other natures, such as that of Carlyle, of the same type as his own, reckless, indeed, of all ordinances whether of man or of God, but yet perfectly fearless, and faithful even to the perilling and the throwing away of life itself in his cause.

It was after Sanquhar had finished that Bacon made the short speech which has already been referred to. Among other things, Bacon, to whose unimpassioned constitution of mind duelling seemed a singularly absurd and unphilosophic practice, said, he must tell the prisoner plainly that he conceived he had sucked those affections of dwelling in malice rather out of Italy, and outlandish manners, where he had conversed, than out of any part of this island of England and Scotland. In concluding he said:—"My Lord, though your offence

hath been great, your confession hath been free, and your behaviour and speech full of discretion; and this showeth that, though you could not resist the temptation, yet you bear a generous and Christian mind, answerable to the noble family of which you are descended."

Mr. Justice Yelverton then, putting on the black cap, proceeded to enact his part. He descanted with much pious display upon the atrocity of the crime, and at the same time took care not to be behind Bacon in magnifying the wonderful justice of his Majesty in its punishment; ending with the solemn words:—"The Court therefore doth award, that you shall be led from hence to your former place of imprisonment, and from thence to the place of execution, and there be hanged till you be dead; and God have mercy upon your soul!" So the doomed man was carried back from that throng of spectators to the seclusion of his cell. The world, it has been said, is a stage, and all the men and women in it merely players. What a strange part is given him to play—how like to a theatrical performance, and yet how different—who has first to stand pleading for his life at the bar of a court of justice, and is then led forth to a public death! Lord Sanquhar's "last scene of all" soon arrived. On the morning of the Monday after his trial, being St. Peter's day, he was brought out to Old Palace Yard, where before the Great Gate of Westminster Hall stood the lean gibbet hungering for its prey, and overlooking a concourse of people that filled the spacious area. When he had mounted the ladder, he spoke at some length. He now, he

declared, truly understood the foulness of his crime; although till he was brought to trial "the devil had so far blinded his understanding that he could not apprehend that he had done amiss, or otherwise than was fitting for a man of his rank and quality, having been trained up in the wars, and lived the life of a soldier, which sort of men, he said, stood more on points of honour than religion." In the end he professed himself a Roman Catholic, and requested the prayers of all persons then present of that persuasion. He had, he said, for worldly reasons, long neglected the public profession of his faith, and he thought God was probably angry with him on that account; but it was a good and saving faith, and he was persuaded that if he had been constant in it he had never fallen into his present misery. "So," concludes the account, "falling to his prayers for a while in private, and after in public praying for the King and Queen, their royal issue, and the state both of England and Scotland, with the Lords of the Council and Church, he submitted himself to the will of the executioner; who, casting him off the ladder, suffered him there to hang a long time, that people in this great man might take notice of the King's greater justice."*

One particular in this statement is contradicted by what must be considered better authority. Chamberlain writing to Carleton on the 2nd of July, after saying that Sanquhar so behaved himself both on his trial and at his execution that he excited much commiseration, and that he "died resolutely, and, as it seemed, with

* *State Trials*, II. 755.

great remorse," adds:—"His body was taken down presently after he was dead, and carried away by the Lord Roxburgh, the Lord Dingwall, and two or three Scottish lords more, who took order to embalm it and send it to Scotland."* Johnstone relates that his friends were obliged to redeem his clothes at a great price from the hangman, to prevent the disgrace of their being made an exhibition of.†

Chamberlain gives no favourable account of Sanquhar's general character. In the letter in which he first mentions the affair he calls him "a man nothing gracious among his own nation," and one who might well be spared.‡ His lordship's own countryman Archbishop Spotswood writes of him to the like effect, observing that his death was not much regretted by the Scots.§ Sir Edward Coke, however, after describing him as "a man of great courage and wit, endowed with many excellent gifts, as well natural as acquired," tells us that "the eloquence of his discourse, with the civility and discretion of his behaviour, when he came before and went from the Judges, compelled the people (who honoured him on account of his moral virtues, and those for his sake) to bewail his fall with great grief;" adding that "this extraordinary affection of the people was, as he himself confessed, a very great consolation to him in his last troubles and afflictions." Coke admits, however, that "at last their compassion abated, because they perceived he died a true Catholic."‖

* *Sloane MS.*, 4173, *fol.* 247, r°.

† "Ne lictor in contumeliam uteretur."—*Rer. Brit. Hist.* 482.

‡ *Sloane MS.*, *fol.* 234, r°. § *History*, 517. ‖ 9 *Reports*.

If we might believe Robert Johnstone, Turner's widow had refused to be satisfied unless Sanquhar should be brought to trial. But there is every appearance of its having been determined from the first that his lordship should not escape. The first thing that his Majesty did was to take counsel as to how he should be made amenable to justice; and nothing that was tried in order to move James in his favour had any effect. When besieged by supplications that mercy might be extended to the unhappy nobleman, he still replied by asking how he could, without outraging all decency, punish the mere actors or instruments of the crime and spare its author and contriver. It was in vain that Archbishop Abbot, to whom his lordship had in the first instance given himself up, and who may have had some notion that he had taken refuge at Lambeth as in a kind of sanctuary, besought that he should be allowed to live; a written application in his favour from the Queen of France was equally ineffectual; the King, says Johnstone, would suffer no prayer to stop him in the prosecution of his revenge.*

Sanquhar himself had no doubt been for some time prepared for the fate that awaited him. When he was informed after his trial that his sentence must be carried into effect, he received the announcement, we are told, with a cheerful countenance, and immediately sent for such of his friends as were within reach that he might take farewell of them. Enough had happened within the last few months or weeks to make it intel-

* "Rex inhiberi nullis precibus potuit, quin perseveraret in ultione."—*Rer. Brit. Hist.* 482.

ligible that the altered man should have come to think he had had enough of this world. When the criminal act by which he had forfeited his life was perpetrated he was somewhat peculiarly circumstanced for the hero of such an adventure; as if his evil star had been then at its height, he had only on the preceding Saturday, two days before, been divorced from his wife. She was an English lady, Anne daughter of Sir George Farmer of Easton, in Northamptonshire; and they had been married so recently as in April 1608. Their union, too, had probably once been one of affection; nor would it seem to have yet all died out on either side. After his lordship was in custody he sent for his wife; and she came to him on the same day, Tuesday the 19th of May, on which he made his first confession before the Council. Chamberlain, who mentions this in his letter written on the day following, only adds that she wished to accompany her husband to the King's Bench, to which he was now committed, "taking his cause, to seeming, very heartily;"* Johnstone makes her to have dutifully taken her place beside him in his prison, where, he says, although she sate bathed in tears, she yet sought by every affectionate word and act to strengthen him against the fear of death. He, on his part, it is added, refrained even from touching her lips with his, but passed his days and his nights in the contemplation of that other life to which his approaching death was to conduct him.†

A story is told by Wilson, which has been often repeated, in explanation of the singular vindictiveness

* *Sloane MS.* 4173, *fol.* 234. † *Rer. Brit. Hist.* 482.

with which Sanquhar had pursued his victim. In the first place, Wilson represents his Lordship as having in his fencing match with Turner striven to put some affront upon that person, in consequence of which "the man, apprehensive of the attempt, with a bold rudeness pressed so hard upon him that he thrust out one of the Baron's eyes." "This business," it is added, "was much regretted by Turner; and the Baron, being conscious to himself that he meant his adversary some ill, took the accident with as much patience as men that lose one eye by their own default use to do for the preservation of the other. Some time after, being in the Court of the late Great Henry of France, the King, courteous to strangers, entertaining discourse with him, asked him how he lost his eye. He, clothing his answer in a better shroud than a plain fencer's, told him it was done with a sword. The King replies, 'Doth the man live?' And that question gave an end to the discourse, but was the beginning of a strange confusion in his working fancy, which neither time nor distance could compose."* In Sanquhar's own account of the matter, which has all the appearance of being quite unreserved, there is no hint of this conversation with Henry of France; and it is most probably a fiction. Another tradition is preserved by Osborne, which is at least a good story, though perhaps an invention too. Osborne, who characterises Sanquhar as "a man of eminent parts," will have it that by leaving him to die King James satisfied himself still more than the popular clamour; it being thought that

* *History of King James*, 60.

his Majesty hated Sanquhar for his love to the late French King, and especially for not making any reply when Henry once said, in his presence, to one that called James a second Solomon, that he hoped he was not Solomon the son of David.*

Lord Sanquhar left no issue by his wife: it does not appear that they ever had any children. He was succeeded in the title by his first cousin once removed, William Crichton, of Ryhill, Esquire, who in 1622 was created Viscount Ayr, and in 1633 Earl of Dumfries. His great-granddaughter, the Lady Penelope Crichton, who succeeded to the earldom (in terms of an enlarged patent) on the death of her brother in 1694, married her relation the Honourable William Dalrymple, a son of the first Earl of Stair; and, while her second son became third Earl of Stair, her eldest, on her death in 1742, inherited the Earldom of Dumfries, and also in 1760, in conformity with a special entail of that honour, succeeded his younger brother as Earl of Stair. On his death, however, in 1768 the Earldom of Stair went to the son of a brother of his father, and of course out of the line of the Crichtons; that of Dumfries was inherited by the son of his sister, the Lady Elizabeth Dalrymple, who had married John Macdowall, of Freugh, Esquire. That son, who thus became Patrick, sixth Earl of Dumfries, and took the name of Crichton, had issue only a daughter, who died in the life-time of her father, but had married John Stuart, Lord Mountstuart, eldest son of the first

* *Secret History of James*; I. 231.

Marquis of Bute in the English peerage, and left a son, who, upon the death of his maternal grandfather in 1797 became seventh Earl of Dumfries, and upon that of his paternal grandfather in 1814 second Marquis of Bute; for not only had he lost his mother before he had completed his fourth year, but also his father before he was six months old. This was the late Marquis, who was so suddenly cut off in March 1848, leaving the conjoined honours of the houses of Stuart and Crichton to his son the present Marquis, born only six months before.

Sanquhar, Spotswood affirms, had lived dissolutely all his time, and had a son by a base courtezan at Paris, to whom he had entailed his lands, intending to defraud the heir. "But," it is added, "the King, taking the matter into his own cognition did, by compromise, adjudge the succession to the just inheritor, appointing a little portion to the base son, who, in a short time, made away the same prodigally."* Some *Notes* from his Majesty's award, pronounced in May 1614, have been published by Lord Hailes.†

Lord Sanquhar's widow, if we may believe the report of the day, for all the affection she showed her husband in his trouble, lost her heart and gave her hand to another with remarkable precipitation. Nor does the match she is said to have made appear to have been a very creditable or decorous one in other respects. Chamberlain writes to Winwood on the 10th of August 1612;—"There is a fame that the Lady Sanquhar is

* *History*, 517. † *Memorials of James the First*, 51—53.

married to one Sands of Buckinghamshire, who hath or had a wife that was heir to Chatterton [Chaderton] Bishop of Lincoln, and daughter to Sir Richard Brook that married Sir Harry Nevill's daughter; but whether they be divorced or how they be parted I know not."* This was exactly six weeks after Sanquhar's execution.

* *Winwood*, III. 385. In this same letter Chamberlain says;—"The widow Countess of Rutland died lately, and is privately buried in Paul's, by [beside] her father Sir Philip Sidney, and Secretary Walsingham. Sir Walter Raleigh is slandered to have given her certain pills that dispatched her."

THE EARLDOM OF MENTEITH.

THE history that is now to be sketched, in addition to other points of interest which it presents, is curiously connected with a question which was agitated down to a very recent date touching the royal line of Scotland, and which at one time was far from being merely speculative.

James the Fifth, it is to be remembered, was the first of the Stuarts who stood in the line of succession to the English throne. He derived that position not from his paternal but from his maternal descent, not from his father King James the Fourth of Scotland, but from his mother the daughter of Henry the Seventh of England. The English regal pretensions of the Stuarts were confined to the posterity of James the Fourth; they were not shared either by that king himself, or by any of the Kings of Scotland his predecessors, or their descendants. If James the Sixth of Scotland and First of England, therefore, had left no issue, his successor could not have been sought for among the royal Stuarts farther back than his grandfather; and, as there remained in fact no other descendant of either James the Fourth or James the Fifth or Queen Mary, the dynasty of the Stuarts in

England would have been at an end, and the two crowns would have been again disunited. Whatever view might have been taken of the rights of the various claimants to either, there was no one of them who could have pretended a title to both.

But it was only in one of its branches that the House of Stuart had acquired any right even to the throne of Scotland. There were always other existing branches of that house which, at least as such, held no place in the line of the regal succession. For instance, the Stuarts Earls of Lennox, the paternal ancestors of James the Sixth, were in that predicament.* They were sprung from Sir John Stuart of Bonkill, brother of James fifth High Steward of Scotland; whereas the royal Stuarts were exclusively the descendants of James's grandson, who became King of Scotland in 1371 under the name of Robert the Second.

The old Scottish royal line, whatever we may think of its deduction either from Fergus the First three centuries before or from Fergus the Second five centuries after the birth of Christ, through a succession of some seventy crowned shadows in the one case or of some thirty in the other, down to Kenneth Mac Alpin in the middle of the ninth century, can be traced back on sufficiently distinct and satisfactory evidence to that first King of all Scotland; and he, notwithstanding the contemptuous disbelief of Pinkerton, must be held to have been of Celtic descent. The Celtic origin of the royal family is a fact that has impressed itself indelibly

* See *Vol.* II. *p.* 348.

on the history of the country and the people. Hence the name by which the country has been known from the time of Kenneth, or shortly after, and which certainly never had been applied to it till then. Hence the popular notion, even to this day prevalent everywhere except in Scotland itself, that the people are universally a Celtic race, so that, whether it be in Paris or in London, a subject taken from Scottish history or Scottish life is never brought upon the stage without the characters being all attired in the garb and represented as belonging in all other respects to the race of the Gael or Highlanders,—a delusion as ignorant and wild as it would be to make all Englishmen Welshmen; for the Celtic Scots neither are nor ever were anything more than a handful of the people of North Britain, from the bulk of whom they have always been as completely separated locally as they are in blood and language. But Pinkerton himself does not deny (though he may have a way of reconciling the fact with his own hypothesis) that the Gaelic continued to be the language of the Scottish court, and, it may be presumed, of the royal family, for several centuries after Kenneth Mac Alpin. The line of the original Celtic kings may be considered to have subsisted till the death of Alexander the Third in 1286, or that of his infant granddaughter Margaret, called the *Maiden of Norway,* in 1290. Twenty-eight princes are reckoned from Kenneth to Margaret.

Of all the preceding kings the last of whom any descendants remained was David the First, who had died a hundred and thirty-seven years ago. The two

rival competitors for the crown, John Baliol and Robert Bruce, were both descended from that King's grandson, David Earl of Huntingdon; Baliol being the grandson of his eldest daughter Margaret, Bruce the son of his second daughter Isabella. Baliol, of course, was the true heir to the throne, according to the rule of succession now established, and indeed upon any system of primogeniture not involving a contradiction and a principle of self-subversion. But in the contest that ensued the victory rested with Bruce; and so the rival family was set aside, although it was not extinguished with John Baliol and his son Edward; for a sister of the former was the mother of John Comyn, Lord of Badenoch, whom Bruce slew at Dumfries in February 1306, and Comyn, besides a son, who died childless, left two daughters, both of whom were married, and of whom there are probably descendants still existing.*

The Bruces, as well as the Baliols, were paternally of English descent. The first Robert Bruce, or de Brus, is said to have come over from Normandy with the Conqueror. His son became connected with Scotland by receiving from King David the First the lordship of Annandale, which descended to his great grandson, who married the daughter of David Earl of Huntingdon, and was the father of the competitor. The great Robert Bruce, the grandson of the competitor,

* Joanna, the elder, became the wife of David de Strathbolgy Earl of Atholl; the other, Elizabeth, of Sir Richard Talbot, of Goderich Castle, in Herefordshire. It has also been asserted that Comyn had a sister Dornagilla, married to Archibald Douglas, Lord of Galloway.

was crowned King of Scotland in 1306; and his son, David the Second, reigned till 1371. Then the Bruce dynasty ended, and that of the Stuarts began.

Robert Bruce, or King Robert the First, besides his son David, who had no issue, and several daughters by his second wife (of the eldest of whom the present Duke of Sutherland is the representative, through his mother), had by his first wife a daughter, Marjory, who in 1315 was married to Walter the High Steward, and died in or soon after giving birth to a son early in the following year. In 1318 an Act of the Estates settled the crown upon this son, Robert Stuart, failing the heirs male of his grandfather the reigning king; and, accordingly, fifty-three years afterwards, on the death of David the Second, he succeeded as King Robert the Second.

This first of the royal Stuarts, the sole root of all the rest, had at least the recommendation, when he was thus set upon the throne, of being the father of a sufficiently numerous progeny, of one kind and another. To say nothing of many natural children,* he had by his first wife, Elizabeth daughter of Sir Adam Muir of Rowallan, three sons surviving, besides others dead, and several daughters; and by his second, Euphemia daughter of Hugh Earl of Ross, and widow of John Randolph Earl of Moray, two sons and several daughters. The children of the first marriage, however, were very peculiarly circumstanced.

* The names of eight sons at least are known. See *Wood's Douglas*, I. 49. From one of these the Earls, now Marquises, of Bute derive their descent.

They had, in the first place, been all born before the marriage of their father and mother. The particulars of the case, long obscure and misunderstood, are now sufficiently ascertained. A dispensation for the marriage of Robert the Steward with Elizabeth Muir was issued by Pope Clement the Sixth in November 1347, on the petition of the parties setting forth the following facts; first, that not only were they within the fourth degrees of consanguinity, but that the Steward had previously had for his mistress Isabella Boucellier, or Boutellier (Butler), who stood in the third and fourth degrees of consanguinity to the lady he now wished to marry, which brought him and the latter within the same degrees of affinity; secondly, that he and Elizabeth Muir already had a numerous offspring of both sexes (*prolis utriusque sexus multitudinem*). It was alleged, however, that they had both remained till now in ignorance both of their own relationship to one another and of that existing between the two ladies. They were actually married under the authority of the dispensation, according to Fordun, in 1349. Elizabeth Muir must have died before 1355; for in May of that year another dispensation was obtained by the Steward from Pope Innocent the Sixth for his marriage with Euphemia Ross, notwithstanding their being related in the fourth degree of consanguinity, and also in the third degree of affinity through the lady's late husband; the parties moreover pleading in their petition that the race of the Steward was so prolific, and had diffused itself so extensively, that there was scarcely to be found a woman in Scotland of sufficient rank to be his wife

who was not related to him within the prohibited degrees.*

The legitimation of children born in concubinage by the subsequent marriage of their parents was certainly not at this date an established principle of Scottish law. In fact the earliest case of the operation of that principle referred to in the books is of the year 1569; and even of that case the only existing note, curiously enough, has been recently shown to be erroneous.† There can be little doubt, it is true, that the doctrine in question had now, by the middle of the sixteenth century, come to be received; but it can at the most only have begun to be broached two hundred years before this, when the marriage of Elizabeth Muir took place.

Further, that was not simply a marriage between persons who had previously lived together and had children without being married. The case was marked by what was regarded as a much more serious taint, by the circumstance, namely, that the parties were within the prohibited degrees of relationship, and that, as above explained, in a complication of ways. It appears to be quite certain, that at no time down to the Reformation would such a marriage, notwithstanding the papal dispensation, have been held by the law of Scotland to legitimatise the offspring previously born, at least not in so far as to entitle them to inherit. The

* Both these Dispensations were discovered in the Vatican in 1789 by Mr. Andrew Stuart, and were published by him in his *History of the Stewarts*, 4to, Lon. 1798; *pp.* 418 *and* 420.

† See "Remarks upon the Law of Legitimation *per Subsequens Matrimonium*," in *Tracts Legal and Historical*, by John Riddell, Esq.; 8vo, Edin., 1835; pp. 153 *et seq.*

defect was one which even the dispensation did not cure. That permitted and made good the marriage of the parents notwithstanding the bar of relationship, but the marriage did not in such a case place the existing children in the same position in which they would have stood if the parents had not been related within the prohibited degrees.*

The only way, apparently, in which the difficulty could be attempted to be got over was by the parties professing to have been all along ignorant of the impediment of relationship that ought to have kept them separate. This, accordingly, as we have seen, was what was done by Robert the Steward and Elizabeth Muir in their petition to the Holy See; and, as the dispensation was granted upon a petition containing such an allegation, the ignorance, outrageously improbable, or rather indeed wholly incredible, as it was, might perhaps be held to have been admitted, and thereupon it might be contended that the case was reduced to the ordinary rule, and that the full legitimation of the children followed upon the marriage as usual (that is to say, if we are to presume any such rule or custom to have been as yet established). But that reasoning

* See in *Riddell's Tracts, pp.* 168 *et seq.*, the case of *Rutherford against Steward* in 1556; in which it is assumed as having been the custom and practice of the kingdom, observed from time immemorial, that "proles genitæ inter consanguineos de jure contrahere vetitos ante matrimonium, licet postea desuper dispensatum fuerit inter hujusmodi personas super tali impedimento, matrimonio desuper subsecuto, hujusmodi proles natæ et genitæ ante præfatam dispensationem, et matrimonium prædictum, et dispensationem subsequentem, non efficiuntur legitimæ quoad successionem paternam seu maternam."

would probably not have been found to be very convincing in the fourteenth century, however it might have answered in the sixteenth.*

On the whole, then, it will be perceived, the legitimacy of the children of Elizabeth Muir was an extremely questionable and doubtful matter. Not only was the retrospective effect now attributed in Scotland to the marriage of parents then probably very far from being a settled principle of the law of that country; but the circumstances of this particular case were such as would, there is every reason to believe, have made it an exceptional or at least a disputable one supposing that principle to have been recognized.

Yet it is from this family born to the Steward by Elizabeth Muir before he and she were married that all the Stuarts who subsequently reigned in Scotland sprung. The eldest of the sons, John, changing his name, succeeded his father as Robert the Third in 1390; he was succeeded in 1406 by his son James the First; he in 1437 by his son James the Second; he in 1460 by his son James the Third; he in 1488 by his son James the Fourth; he in 1513 by his son James the Fifth; he in 1542 by his daughter Mary; she in 1567 by her son James the Sixth.

The impatient reader must excuse this explanatory introduction. It has been made as short as possible and what is to follow would not have been intelligible without it.

* See what Mr. Riddell has brought forward in illustration of the difference of opinion among the authorities as to the plea of ignorance, in his *Tracts, pp.* 181—189.

The conduct of Robert the Second in regard to his family after he came to the throne is very creditable to him. Elizabeth Muir was dead, and he was now married to Euphemia Ross; but, dubious at best as their legal rights were, he lost no time in getting such an arrangement effected as might secure the priority of succession to the children of his first wife. In 1371 he procured an Act of the Estates recognizing his son John Earl of Carrick as his heir apparent; and two years afterwards he executed a settlement, which he got the Parliament to ratify, entailing the crown upon the three surviving sons of his first marriage by name, and the heirs male of their bodies respectively; with remainder in like manner to his sons of the second marriage in the order of birth, and their heirs male; *failing whom, to his heirs whatsoever.* The pregnancy of this last limitation can hardly have been foreseen, or deliberately considered, when it was added to the others.

As soon as he found himself king, also, Robert bestowed upon his son David, the eldest of his sons by Euphemia Ross, the Earldom of Strathern. It is not necessary for our present purpose to enumerate the similar honours and dignities to which the other sons of both marriages were elevated. All that is necessary to be remembered is, that, if the children of Elizabeth Muir were illegitimate, the heirs and representatives of King Robert the Second were David Earl of Strathern and his descendants.

Whether legitimate or not, John Earl of Carrick and his two younger brothers of the full blood had acquired

a right of succession to the throne for themselves and their heirs male by their special nomination in the Act of Settlement;—such a right at least as could hardly have been resisted or disputed by any legal process. It was one, nevertheless, which was not likely to be in all circumstances acquiesced in by the rival family. They might submit in the mean time; but they would be very likely to take advantage of any tempting opportunity that might present itself of asserting their own pretensions.

Accordingly, the murder of James the First in 1437, before the crown had been worn for half a century by the descendants of Elizabeth Muir, appears to have been the result of a conspiracy for transferring the royalty to the line of Euphemia Ross. The principal actor in that tragedy, Sir Robert Graham, was the uncle of the heir of David Earl of Strathern; and if the crown had been wrested from the line of James it was to have been placed on the head of Sir Robert Stuart, also one of the chief assassins, who was now (setting aside his aged grandfather the Earl of Atholl, younger brother of David Earl of Strathern) the very person to whom it would have rightfully belonged on the assumption that it ought to have descended to the heirs male of Robert the Second by his last marriage.

For David Earl of Strathern, who appears to have died before his father, had left only a daughter, Euphemia (so named doubtless after her grandmother), who had married Sir Patrick Graham, the brother of Sir Robert. She was regarded as having inherited her

father's Earldom; her husband, according to what was then and long afterwards the established usage, was styled Earl of Strathern in her right; and on her death her son Malise Graham assumed the title. He must have been still a child when James the First returned from England in 1424. One of the first acts of that King was to deprive his young cousin of the Earldom of Strathern on the alleged ground of its being a male fief, or not descendible to females; and in its stead to bestow upon him the Earldom of Menteith, which (at least in so far as respects the territorial Earldom created by charter of 6th September 1427) was certainly made descendible only in the male line. It is contended, however, that a personal dignity of the same denomination had been previously conferred upon him with remainder to his heirs general; and also that the Earldom of Strathern (the patent or charter creating which is not in existence) was legally descendible in the same way.*

The failure of the attempted revolution of 1437 was fatal to the only remaining line of the male descendants of King Robert the Second by his second marriage. Both Sir Robert Stuart and his grandfather the old Earl of Atholl were put to death, as well as Graham, the instigator and main contriver of the conspiracy. The Earl of Menteith, who was probably too young to have been involved in it, saved from the general destruction of his kindred, was now left, as his grandfather's heir general, the indisputable head of that branch of the royal family. And it might be made a

* *Nicolas's History of the Earldoms of Strathern, &c., pp.* 8, 22, *&c.*

question whether he was not also his royal great-grandfather's only legitimate heir and representative. A time, too, might come when, if that question should be raised, it would be necessary to have it determined, even to carry out the present parliamentary settlement of the succession to the crown.

When, about a century after the death of James the First, James the Fifth died leaving only a daughter, the entire issue male of Robert the Second became extinct; and the crown descended in terms of the Act of Settlement of 1373 to his *heir whatsoever*. It was as such heir general that his daughter Mary succeeded. If her relation John Duke of Albany, who was a grandson of James the Second, and whose death took place only about six years before, had been then alive, he and not Mary would, as has been pointed out by Mr. Riddell, have under that Act inherited the vacant throne. But Mary's right was good only on the assumption that her ancestor King Robert the Third, the son of Robert the Second by Elizabeth Muir, was legitimate; and that was a matter of fact as to which the Act of Settlement said nothing. It simply declared that, on failure of the heirs male of the first royal Stuart, the crown should devolve upon his heir whatsoever. It depended upon what should be found to have been the legal *status* of the children of Elizabeth Muir whether such heir was Mary Stuart or the representative of David Earl of Strathern.

The latter, however, perhaps fortunately for himself, was in no condition to stir on this occasion. The

Earldom of Menteith had descended from Malise Graham to his great-great-grandson John, who had recently succeeded his father as fourth Earl, and was one of the prisoners taken by the English at the rout of Solway in the end of November 1542, the news of which is believed to have broken the heart of King James, who died three weeks after that disaster and a week after the birth of his daughter. The heir general of Robert the Second, therefore, if the children of Elizabeth Muir were illegitimate, was at the accession of Mary a captive in a foreign country. He was not redeemed till the following July.*

Nor did either of the two succeeding Earls, William and John, his son and grandson, ever, as far as appears, make any movement that could awaken the jealousy of the reigning family. John Graham sixth Earl of Menteith died in December 1598, and was succeeded by his eldest son William, then only in his tenth year. It was this seventh Earl of Menteith, the ninth in descent from David Earl of Strathern, who first gave any sign of reviving the high pretensions of his race derived from that prince, whose death (as it is reckoned) had taken place exactly two centuries before this his descendant came into existence.

He seems to have been a person of a light and vain nature, but not without a certain superficial and showy ability, as well as considerable art of insinuation. He was probably little accustomed to business, or to any occupation of an intellectual character, in the earlier part of his life: in one of his letters written after he

* '*Wood's Douglas*, II. 228.

became a public man we find him speaking of the *nulla dies sine linea* as a new habit, and one which had taught him to be a writer.* He would be seven or eight and thirty when, soon after the accession of Charles the First, he was drawn out of the privacy in which his family had passed the two preceding centuries and more, and brought forward on the stage of affairs. The person who first took him by the hand is said to have been Sir William Alexander (afterwards Earl of Stirling), the poetic statesman, who, upon being appointed Secretary of State for Scotland in 1626, recommended the Earl of Menteith to be made a councillor, with the view of strengthening himself by the support of some of his private friends. Alexander was probably Menteith's senior by ten years or more. At first the King, although he is said to have had at this time no knowledge or recollection of Menteith's descent, was averse to the scheme of bringing him in, sceptical, probably, as to the serviceableness of an untried man; but he ultimately assented, on Sir John Scot of Scotstarvet, the Director of the Scottish Chancery, whom Alexander had got to back his application, representing that the fittest way to curb those persons in the government who stood rather upon the support of faction than upon the royal favour was to introduce among them a few of the old nobility. So Menteith was made a member of the Privy Council, or Scottish Cabinet of that day. In this function he is asserted to have allowed himself at first to be governed by the advice of his patrons Alexander and

* *Nicolas's Earldom of Strathern, Appendix.*

Scot; till Scot, if we will take his own account, or what has at least been put forward as an explanation of his share in the business, recommended his protégé to go up to court to thank his Majesty for the honour that had been conferred upon him; when he speedily so worked himself into the favour both of the Duke of Buckingham and of the King himself that he returned home far too great a man to be longer ruled or guided by any body. Offices of dignity, authority, and profit now followed fast upon one another. In August 1628 the successful courtier, a man whose name had scarcely been heard of in connexion with any department of public affairs till within the last few months, was made Lord Justice General of Scotland; in November of the same year he was appointed an Extraordinary Lord of Session; and in February following he was put nominally at the head, or at least in the front, of the government by being declared Lord President of the Privy Council.

But, if the ambition of the Earls of Menteith had heretofore answered singularly ill to their lofty descent and pretensions, after its sound sleep of two centuries and more it was now wide awake. This seventh Earl certainly cannot be charged with any want of a mounting spirit. Not satisfied with all that he had already got in so short a time from the royal favour, he now resolved to set up a claim to the old Earldom of Strathern, which had been taken from his ancestors by James the First in the year 1424. It was in July 1629 that he put into the hands of Sir Thomas Hope, the Lord Advocate, the evidences of his asserted rights,

which he professed to have just discovered, being many charters of lands and lordships no longer in possession of his family, and especially two charters of Robert the Second by which the Earldom of Strathern, granted by that king to his son David, would appear to have been made descendible to heirs general. The charters were and are extant in the Registry of the Great Seal of Scotland, and their authenticity is beyond controversy; the only question is whether they are sufficient to sustain the claim based upon them. Though dated respectively on the 19th of June and the 3d of July in the first year of the reign of Robert the Second (1371), neither of them is the charter by which the Earldom was originally conferred; that must have been granted before the 26th of March, and is lost. Secondly, the meaning of the expression by which the Earldom appears to be spoken of as inheritable by females as well as by males is not quite certain.* Lastly, it is matter of dispute whether the rights conferred by the original charter, whatever they may have been, had not been revoked and extinguished by subsequent acts of the legislature.

These objections, however, if they struck Hope at all, do not appear to have been deemed by him of any weight. After examining the two charters, he gave it as his deliberate opinion that Menteith was legally Earl of Strathern, and that he had good grounds whereon to proceed in an action for the recovery of such of the lands constituting the ancient territorial Earldom as were in the hands of subjects, although, with respect to those that had been annexed to the

crown, he was persuaded that his lordship would do nothing therein till he had first acquainted his Majesty. A Lord Advocate could hardly in decency go farther; but Hope evidently held that his friend's right was as good to the annexed lands as to the others.

The end was, after some negotiation, that, upon Menteith executing a renunciation of his right to such of the lands of his ancestor Prince David as the Crown had appropriated, he obtained on the 13th of May 1630 a royal charter acknowledging him to be the undoubted heir of line and in blood of the said prince, and confirming in regard to all other lands the two charters of King Robert the Second; and on the 31st of July in the year following a patent ratifying and approving to him and his heirs male and of entail the title of Earl of Strathern created in 1371, with the place and precedence that had belonged to the original grantee. Meanwhile, also, he had got himself served and returned heir general to the said son of King Robert.

So far all went on well and smoothly. The affair would seem to have been up to this point quietly managed with the King by the Earl and the Lord Advocate, nobody else interfering or being consulted. His Majesty moreover was induced to believe that the Earl in giving up his claim to the Strathern property which was in the possession of the Crown had made a great sacrifice, which demanded compensation; he declared his intention of giving him "reasonable satisfaction for the same;" and it is said that the Earl actually received a sum of 23,000*l.* sterling, besides

a pension of 500*l.* a-year. Hope at the same time was presented with 2000*l.* in acknowledgment of his services, and was directed to give the Earl his best assistance in his actions against all other persons so far as he lawfully could.

The Earl now accordingly assumed the title of Earl of Strathern and Menteith. He sat as such in the parliaments of September 1631, and of April and September 1632. In November 1631 he obtained a grant of the Barony of Drummond for himself and the heirs male of his body; and in April 1632 another of the lands and barony of Airth in similar terms. In a second charter of the barony of Airth, which he obtained in July of the same year, he is styled Lord Kinpont and Kilbride, the latter district at least being a portion of the old Earldom of Strathern to which he had in his renunciation specially reserved his right, as he had also done the right and dignity of blood pertaining to him as the heir of David Earl of Strathern. The title of Lord Kinpont appears to have henceforward been borne by his eldest son.

It is not easy to understand upon what principle the Earldom of Strathern should in the patent of 1631 have been made descendible exclusively to heirs male, seeing that this new patent expressly professed to be a ratification of the charter of 1371, and that the only claim of the present Earl under that charter was as the heir general of the original grantee. It is contended, however, that the confirmation thus limiting the honour to a new description of heirs could not destroy the rights of the Earl and his descendants under the old charter.

All this while the Earl had been improving his interest at head quarters, and further ingratiating himself with the King, by repeated visits to the English court. Some of his letters written from the sunny summit where he basked in the royal favour have been preserved, and sufficiently express the self-complacency with which he looked around him. "I am his (that is the Scottish Lord Chancellor, the Earl of Loudoun's) friend and servant," he says to Morton the Lord Treasurer, in a short note dated Theobald's, the 18th of September 1630, "and he shall find me so. I am no complimenter, nor do I love idle professions without effect. Where I professed, there shall I be. My power is not much, but no man shall exceed me in desire to do service to those to whom I promised it. One of those I love most is yourself," &c. It is almost the style of Malvolio in the yellow stockings: "I thank my stars I am happy." One might think that he had done nothing but dispense gracious assurances and patronising regards ever since he had come to years of discretion. So again we have him in another letter, written from Oatlands on the 1st of August 1632, still congratulating himself as confidently as ever on his Majesty's great goodness, and his own strong hold thereon.*

But, bright as the sky looked, a storm was at hand. The vain and blinded Earl, courted as he was, probably cherished the simple faith of his cross-gartered prototype in the play that all that looked on him loved him; but his sudden prosperity and his power at court had, we may be sure, made him as many enemies as friends;

* *Nicolas, Earldoms of Strathern, &c., Appendix*, LXXVII. *&c.*

nor would the former, though for the present less obtrusive, be likely to prove less genuine than the latter, or less disposed to stick by him in all circumstances. His pretensions, besides, not only excited the jealousy and envy of some who had heretofore been accustomed to account themselves his equals or superiors, but alarmed the fears of others whose families had for ages enjoyed those lands of the old Strathern Earldom which he now claimed as his rightful property.

It may be doubted, nevertheless, if it was not mainly to private spite and vindictiveness that he owed his downfall. It was at any rate that Sir John Scot of Scotstarvet, Director of the Chancery, whom he had at first taken for his guide, and afterwards thrown off, that at last had the boldness to head the movement against him. A long and detailed narrative of Scot's proceedings exists, which professes to be a vindication of him, but was not for all that, it may be, drawn up by himself.* The provocation which he had received was, by this account, marked enough. After the Earl returned from his first visit to London, he not only, we are informed, abandoned his original adviser for the Lord Advocate Hope, who "seeing him so far in favour with his Majesty, offered him his service, telling him that he behoved to be ruled only by his counsel, and to quit any farther communicating of affairs with Sir John," but immediately commenced a system of angry altercation with the latter at the council table, and in

* See it in Sir Harris Nicolas's *History of the Earldoms of Strathern, &c., Appendix*, XXIV.—LIII. It is stated to be printed from a contemporary MS. in the possession of Captain John Graham of Duchray.

a few days went the length of desiring the Earl of Buccleuch, Scot's chieftain, one evening when they met at supper, to tell Sir John that he was determined to ruin him, or, as his expression was, that he should break his neck.

It would appear not to have been till September 1632 that Scot openly took the field, though he had probably been making his preparations in private for a long while before. He now, having first communicated with certain of his colleagues in the Scottish government, sent up to the King a written statement of certain reasons showing how the admission of the claim of the Earl to be accounted the heir of Prince David would be dangerous and prejudicial to his Majesty and the public peace, as giving him a better title to the crown than his Majesty himself. The reasons were six in number, the last being as follows:—"It is to be remembered that King James the Sixth would never grant the style of Strathern to any subject, far less the Earldom itself, saying always to such as requested for it, he had no more for the blood and slaughter of King James the First."

It is evident that Charles was not a little excited and alarmed. He forthwith directed Sir Robert Dalzell, one of the persons who had brought him the paper, to return to Edinburgh and have the matter properly investigated. "Make haste in this, for I must not suffer a business of this nature to hang long in suspense," concluded his Majesty's private commission to Sir Robert, dated Whitehall, the 2d of October.

As soon as he reached the northern capital, Dalzell,

convening Scot and two other officers of state, desired the attendance of three eminent members of the Scottish bar. One of the three, Sir Thomas Nicolson, as soon as the first of the six reasons had been read, started to his feet, declaring he would hear no more of that, and, swearing with a great oath that they would all be hanged who had taken part in such a business, rushed out of the room. The two others, however, in answer to six questions proposed to them, gave their opinions in writing to the effect, among other things, that the Earldom of Strathern had been annexed to the crown, and therefore that it was not Menteith's to renounce—that for Menteith to have served himself heir of blood to David Earl of Strathern was too great a boldness—that, having done that, there seemed to be no reason why he might not next serve himself heir to King Robert the Second—and that it appeared to be unbecoming his Majesty's honour to acknowledge any subject to be equal in blood to himself.

A few weeks after this, Scot, seeing no effects to follow, and feeling alarmed at what he had done, determined to go up to court himself. So, having taken counsel with his friends Sir James Skene, President of the Court of Session, and Sir Archibald Atcheson, Joint Secretary of State, the two persons who had been associated with him at the late conference with the lawyers, and having got from them an engagement in writing by which they bound themselves in their lives and estates to stand by whatsoever he should say to his Majesty in their names, that same night, being three days before Christmas, he set out,

and rode as far as Dirleton, and, having the next morning taken post at Cockburn's Path, on the fifth day he reached Hampton Court, where Charles then was. He was immediately admitted to a long conference in the bedchamber. Certain elaborately prepared legal papers which Scot produced and read seem to have been heard with calmness enough; but when Sir Robert Dalzell, who was present, stated that the Earl had been heard to say he had the reddest blood in Scotland, the King, we are told, "seemed to be commoved." On the other hand, his Majesty was heard to remark "that it was a sore matter that he could not love a man but they pulled him out of his arms."

It seemed very doubtful what turn the affair might take. Meanwhile the object of Scot's visit to court got wind, or came to be suspected; on which two other members of the Scottish government, the Earl of Morton, the Treasurer, and the Earl of Loudoun, the Chancellor, determined that they too would have a share in the game that was going forward. They appear to have been both at this time in London. So, hearing that Menteith (or Strathern) was come to Ware, they entered into a negotiation with him, and undertook to protect him from any hazard provided he would on his part engage to deal with his Majesty to get Morton made a Knight of the Garter. This he promised to do; on which Morton and Loudoun set themselves to excite the royal mind against Scot and his "frivolous accusations." Sir John nevertheless was admitted to a second audience, when, among other additional documents, he showed Charles a genealogy

drawn up by the Earl wherein "his Majesty was placed on the left hand;" at the sight of which, it is stated, Charles was again "somewhat commoved."

The result for the present was, that, when the Earl himself came up to court, he prostrated himself and acknowledged his fault, and at the intercession of Morton and Loudoun obtained a favourable reception, but was told by his Majesty that he must quit the title of Strathern, and dash out of his windows the arms of that Earldom. In compensation he received, in March 1633, a new patent creating him to the Earldom of Airth, to which title it was directed that that of Menteith should be annexed, so that he should be henceforth styled Earl of Airth and Menteith. He was, however, to continue to enjoy his old precedency. The new Earldom, moreover, was made descendible to his heirs (*haeredes suos*), without specification; so that the legal import of that expression would seem to be the only point about which there could be a question in regard to the destination at least of the Earldom of Airth.

At the same time orders were given for raising a summons of reduction of the Earl's service and return as heir to David Earl of Strathern; and the reduction took place accordingly.

Yet, although the Earl returned home shorn of the principal title by which he had been lately distinguished, he continued to retain all his high offices for some time longer. It was not till his Majesty came down to Scotland for his coronation, in the summer of the year 1633, that anything further was done. By this time Morton and Loudoun too had gone over to

the other side. Indeed the folly or worse of the doomed man was now fast alienating all his friends. Traquair, the Treasurer Depute, writing to Morton in February 1633, speaks of "his own rash tongue" being his worst accuser—of how "idle" he had been in his speeches since his coming home, "still as it were making *querelle d'Alemagne*," or quarrelling with every body about nothing,—and of his insincerity and double dealing in all directions.* A misunderstanding had already taken place between him and the Treasurer. Morton's special injury was, that Menteith (or Airth), instead of getting him the Garter from his Majesty, was endeavouring to procure it for himself. He and Loudoun now addressed themselves to the Queen, frightening her with the notion that her children never would be safe till the Earl was effectually put down; and at her entreaty Charles promised that he would not leave Scotland without putting the affair in a proper train. So a few days before his departure, having previously directed Scot to submit his various evidences to the inspection of the Lord Weston, who upon reading them swore Menteith wanted nothing but a sharp sword to be king, his Majesty proceeded himself to make inquisition at Holyrood House into the words imputed to the Earl, that his was the reddest blood in Scotland, and that the King was obliged to him for his crown; his actual utterance of which was held to be satisfactorily proved by the testimony of the Earl of Southesk, the Countess of Marr, and others. Finally, the Scottish Privy Council met by order from

* *Nicolas, Earldoms of Strathern, &c.; Appendix.*

London on the 8th of November, and, the Earl having appeared in obedience to a summons to come and hear his Majesty's will concerning him, the royal missive stating that the treasonable speeches had been sufficiently proved was read to him; upon which he acquiesced with all reverence, and made a surrender of all his places, honours, privileges, and immunities, as also of his pension from the Exchequer, subscribing such his demission in a form embodying the statements in the missive.

He never again obtained any public employment; but in 1639, after the Scottish troubles had broken out, he is found once more in correspondence with the court, and apparently in the receipt of pay for his services or *espionage*.* He was one of a list of persons nominated by the King to be of the Privy Council in September 1641, but his name, with seven others, was struck out on the list being taken into consideration by the Three Estates of Parliament.† He continued to sit in Parliament, however, as Earl of Airth till the close of his life, which must have taken place before, possibly many years before, 1663.‡

* *Nicolas, Earldoms of Strathern*, &c., 104 ; and *Appendix*, xci.

† *Balfour*, III. 66 *and* 148.

‡ For his grand-daughter Lady Mary Graham, when she was married to Sir John Allardice in October 1662, was certainly *sister* to the then Earl of Airth (or Menteith). See the contract of Marriage in *Evidence in the Airth* Case, *p.* 32; and the entry of the Marriage in the Parish Register of Arbuthnot, *Ibid.*, *p.* 68. It is a striking instance of the difficulty of escaping minute, but yet it may be in their consequences important, oversights in the treatment of such subjects, that so expert a genealogist as the late Sir Harris Nicolas should, in his elaborate volume on the Airth Case (*History of the Earldom of Strathern*, &c.), in which

The latter years of this unfortunate nobleman are said to have been passed in great pecuniary embarrassment. His eldest son, John Lord Kinpont, is the gallant Earl of Menteith of the *Legend of Montrose*, who, having joined the chieftain of his name, was slain by Stewart of Ardvoirlich at the Kirk of Collace in September 1644, a few days after the battle of Tippermuir. Lord Kinpont left a son, William; and two daughters, Mary and Elizabeth. The son succeeded his grandfather as Earl of Airth; and after the Revolution he resumed the old title of his family, and was designated even in Parliament William Earl of Menteith till his death in September 1694. He had inherited nothing or next to nothing from his father and grandfather, except the peerage; and in 1680, with the view of relieving his necessities, he made an attempt to dispose of that, according to the old Scottish fashion, to the then Marquis of Montrose, which, however, was frustrated by the interference of the Crown. He is memorable, too, in the legal records of Scotland for a contest with his wife. Her name was Anne Hewes. Lord Fountainhall notes that on the 1st of December 1683 a bill was given in to the Lords of Session by the Lady Menteith against the Earl, complaining that in a process he had raised in the Commissary Court for a divorce he was offering to prove her adultery by women witnesses, a course against which, woman as she was, she pro-

he had been one of the counsel for the claimant, throughout assume that this seventh Earl lived till 1670.—See *pp.* 105, 107, *&c.* Why, if that had been so the case of his client would have had the entire basis on which it stood knocked from under it.

tested as altogether unwarrantable and illegal.* Their Lordships ordered the point to be solemnly debated at the bar, which it was accordingly on the 1st and 2nd of January following. The decision was against the lady, it being found that the evidence of women might be received in such a cause, provided they were of integrity and above all exception; but this judgment appears nevertheless to have been opposed to the almost uniform tenor of precedent.† In other respects, too, her ladyship would seem to have been rather hardly dealt with. At least every other objection that she raised was in like manner repelled;‡ the Earl obtained his divorce, even although he had married another woman whilst the cause was pending;§ and, when he then, not satisfied with having got rid of Elizabeth Hewes, raised a criminal libel against her, she, it is recorded, "not being able to find caution, was forced to retire out of the way, and so was denounced fugitive."‖ His object was to prevent her going on with a process she had raised

* *Decisions*, I. 248.

† Fountainhall remarks that about fifty processes of divorce were found to have taken place since the Reformation, and in none of them had women been adduced as witnesses; and he quotes as reasons why women should not be allowed to become in this way masters of our lives, and of our honours and reputations, which are yet dearer to us, first their modesty and shamefacedness, secondly their incessant occupation in their economic employments, lastly the circumstance that "their passions of love, anger, hatred, revenge are high and boiling, and ready to transport them to great extremities."—*Decisions*, I. 255. It is laid down generally even by modern authorities on the law of Scotland that "the testimony of women is always received when it is necessary, that is, when the fact cannot be proved without them; and it is seldom admitted where other witnesses can be had."—*Erskine*, IV. ii. 14.

‡ *Decisions*, I. 257. § *Ibid.* 291. ‖ *Ibid.* 298.

against him for bigamy, in which it is some presumption in her favour that she appears to have been supported by the Marquis of Montrose.* The second wife, whom he was so impatient to marry, Catharine daughter of Thomas Bruce, Esquire, of Blairhall, in Perthshire, he lost by death some time before his own decease; and he left no issue either by her or her predecessor.

Scottish peerages never fall into abeyance; the rule of law being, that, in the succession of heirs portioners, indivisible rights, such as titles of dignity, fall to the eldest sister. It is the same as with the succession to the crown in England. On the assumption, then, that the Earldom of Airth, or Menteith, was inheritable by females, it ought now to have gone to the late Earl's sister Mary, who was the widow of Sir John Allardice of Allardice in Kincardineshire. Lady Allardice, who lived till 1720, always considered herself to be, since the death of her brother, Countess of Menteith. Of two sons, both of whom she survived, the second, Sir George Allardice, who was Master of the Scottish Mint, had a numerous family; and his eldest son, James Allardice, would be his grandmother's heir. He, however, died, at the age of thirty-five, in 1728, leaving only a son, an infant little more than a twelve-month old, who when he grew up found his means so limited as to make it necessary for him to live abroad, so that no thought of claiming or assuming the dormant title could well be entertained on his part.

* *Decisions*, I. 291, 308.

In these circumstances another claimant made his appearance, and had the field to himself. The title of Menteith, standing, as it still stands, in the *Union Roll*, had been regularly called over, as it continues to be, at every election of the Representative Peers for Scotland; but no person had ever answered to it till the election of the 12th of October 1744, when, on its being pronounced by the clerk, "one William Graham," as he is called in the official minute, intimated that he was present; and, being desired to describe himself, stated that he was a Student of Medicine at the University of Edinburgh, and was entitled to the dignity of Menteith; whereupon he was admitted to take the oaths, but it does not appear that his vote was then received.* He actually voted, however, as the possessor of the ancient dignity which he claimed, then the fourth on the list of the Earldoms, at the next election on the 1st of August 1747;† and he likewise appeared and voted at the next general election on the 15th of March 1750;‡ at the election of a single peer on the 9th of July 1752;§ at a similar election on the 16th of November in the same year;‖ and at the general election on the 5th of May 1761.¶

He was, in fact, the heir and representative of the eighth Earl of Menteith, who died in 1694, if, as was asserted, that Earl, the last who bore the title, had had only one sister, the Lady Elizabeth Graham, and the Lady Mary, the ancestress of the Allardice family, was not his sister but his aunt.

* *Robertson's Proceedings relating to the Peerage of Scotland*, 243, 244.
† *Ibid.* 255. ‡ *Ibid.* 273. § *Ibid.* 275. ‖ *Ibid.* 277. ¶ *Ibid.* 290.

Lady Elizabeth had married Sir William Graham of Gartmore, Baronet, and, besides a son John, who inherited the Baronetcy, but had no issue, had left a daughter Mary, who became the wife of James Hodge, or Hodges, of Gladsmuir, Esquire, advocate. Her only child, Mary Hodge (commonly called Lady Gladsmuir, after the Scottish fashion), married her relation, William Graham, a writer, or attorney, then of Dunbarton, afterwards of Edinburgh, a younger brother of Robert Graham of Gallingad, physician in Glasgow, whose father had been a younger brother of Sir William Graham of Gartmore. The person who now called himself Earl of Menteith was William Graham, the younger of her two sons, his elder brother James having previously died without issue. He was therefore the great-grandson of Lady Elizabeth Graham; and, if she had no elder sister, he was undoubtedly through her the heir general and representative of her grandfather, the Earl of Menteith of the time of Charles the First, who was himself the heir of David Earl of Strathern, the son of King Robert the Second, and of all the high pretensions of his line,—pretensions which, as we have seen, placed his descendants in competition with the actual possessors of the Scottish throne, making it matter of question whether the legal right were in the blood of the Stuarts or of the Grahams.

This appropriation of the ancient Earldom seems to have met with no opposition or disturbance from the Allardice family. But after the election of May 1761 it was ordered by the House of Lords that the *soi-disant*

nobleman should attend before the Committee for Privileges, and show by what authority and upon what grounds he assumed his title; and, upon his failing to appear, it was resolved that he should be considered as having no right to the said title until he should have so established his claim, and that in the mean time neither he nor any other person claiming under him should be admitted to vote at any future election of peers. It was also ordered that he should no longer presume to take upon himself the said honour, title, and dignity, until his claim should have been allowed in due course of law.*

He never again attempted to vote, but he did not lay down the title. He continued to call himself the Earl of Menteith, and to be so styled by every body, till his death. And he lived for more than twenty years after this. But miserably ill suited were his end and his latter days to his noble and royal ancestry. This fancied Earl of Menteith, and undoubted descendant of the line of the old Earls, became at last a wandering mendicant, a common beggar from door to door. An inhabitant of Dunbartonshire who appeared as a witness before the House of Lords in 1839 remembered him, "a little clean man," going about the country asking charity; "he went into farm-houses and axed victuals, what they would give him, and into gentlemen's houses;" if he got anything, he took it and ate it. And he died by the wayside according to the story of this witness, who stated that he had with his own eyes seen the lifeless body lying in

* *Robertson*, 302, 306.

the open air, some twenty or thirty paces from the high-road along which the poor houseless man had been travelling.* It was in the parish of Bonhill, on a summer day, Wednesday the last of June, in the year 1783, that the inheritor of so long and so high a lineage—a man, too, as it would seem, not without some claim to the other nobility of a learned education — thus breathed his last stretched on the bosom of the common earth, probably with no one by, gentle or simple, relative or stranger. He was buried the next day in Bonhill churchyard; and by an odd chance the bill of the village innkeeper (for such he seems to have been), to whom the management of the business had been committed, gravely headed "Funeral Expenses of William Graham, Earl of Menteith," has been preserved; from which it appears that the coffin cost eighteen shillings, that about the same sum was expended upon brandy, whisky, and bread, and that the entire charge amounted to between three and four pounds.†

He was probably a very old man; his elder brother, if he had lived, would by this time have been seventy-eight, and he may have been not many years younger. He had never been married; nor had the eldest of his three sisters, Miss Grizel Graham, who died about nine years before this at the age of sixty-seven. Margaret, the youngest, although she had been married (her husband was a goldsmith in Edinburgh), had also died the preceding year leaving no issue. But there survived a son and two daughters of Mary, the second of

* *Evidence in the Airth Case*, 144.

† *Evidence in the Airth Case*, 145.

the three, who had died in 1779 the wife of John Bogle, an officer of Excise.

These Bogles make a curious episode in the story. The Exciseman, in particular, the master of the household, from whose letters chiefly it is that we obtain our view of the domestic interior, is full of character.

When he married Mary Graham, about the year 1745, he was only clerk to a distillery at Airdrie, and he never rose to be any thing higher than a common exciseman, in which capacity he was stationed for the greater part of his life in the town of Kirkcudbright. He was notwithstanding, as well as his wife, of gentle birth, and never certainly was that advantage bestowed where it could have been more highly valued. The genealogical eminence of his family was a sunshine of the breast to him throughout a long life, gilding his humble environment with beauty and joy, as some such magic light of the imagination alone can do.

His own ancestors had long been proprietors of a small estate called Hutcheston on the banks of the Clyde, a mile or two to the east of Glasgow. The first of them was believed to have been a cadet of the family of the Earl of Airly, and the family name was said to have been changed from Ogilvie to Bogle only a few generations back, for the sake of an alliteration in a common saying of the people of Glasgow, that that city had been made what it was principally by the Bells, the Bogles, and the Bairds. One would almost suspect that the popular myth may rather have been that Glasgow had been built by three *bees*. George

Bogle, Laird of Hutcheston, the great grandfather of the exciseman, had been a distinguished Covenanter, and had endured much persecution in the evil times of Charles the Second. A granddaughter of his was the mother of Tobias Smollett; and an intercourse appears to have been always kept up between the Bogles and the Smolletts of Bonhill. John Bogle, the grandson of the Covenanter, became a merchant in Glasgow, either he or his father, apparently, having sold the estate; and the exciseman was his eldest son. His uniform description of himself in the pedigrees which he was always drawing up is "John Bogle, bred a scholar, employed in the revenue of Excise,"—followed by the notification of his marriage to the lineal descendant of the Earls of Menteith.

His scholarship had never comprehended a very profound acquaintance with either grammar or orthography; but he has unbounded confidence, nevertheless, in the perfect sufficiency of his acquirements in these and all other departments. With all his self-satisfaction, it does strike him at times, in the midst of his genealogical ruminations, that he is entitled to more professional preferment than he has got. There is a letter from him in July 1767 on this subject to his son, elaborately superscribed "To Mr. John Bogle, Limner, at his lodgings in Mrs. Lamb's, 3rd Story of Bruce's Land, middle of Libberton's Wynd, Edinburgh, with haste." Having stated how infinitely he feels himself indebted to Commissioner Lawrie "for his benevolent and salubrious advice," he proceeds to inform his son that a certain district has just become vacant, the appointment to

which he is certain he could secure if his friends would exert themselves as they ought to do. The Board, he intimates, need give themselves no trouble about his qualifications, as his "abilities are so very well known." "You'll be very active," he says, "and lose no time, and I can assure you of success." It is one of his rooted Scotch notions that any thing is to be got by energetic asking.

The son, however, whom his father was never able to arouse to much sympathy with any of his pursuits or peculiar enthusiasms (the utmost length to which he succeeds in drawing him being the prevailing upon him now and then to make a more artistic copy of one of his genealogical trees, though even in that matter the exciseman is very well pleased with his own performances), has at this particular moment an affair of his own on hand which naturally a good deal preoccupies him. His last letter had informed his father and mother of his having in view what the latter emphatically calls "one of the most momentious steps in life," being none other than the celebration of "the matrimonial tie" with a Miss Mennie, or May, Wilson, the niece of his landlady. It is plain that such a connexion is far from being satisfactory to the parental notions in regard to the fitness of things. His own acquaintance with the young lady and her aunt, the exciseman drily remarks, had been but short; he had seen them some time before when he had paid a visit to his son: "so far as I could observe," he says, "I took Mrs. Lamb to be a mannerly, sensible, well-bred woman, and Miss the same,

in proportion to her years; but as to their character, family, or extract, I am entirely ignorant." He thinks his son ought to have informed himself on these heads as soon as he intended to join in so near a bond of union with Miss Wilson. "I am thoroughly convinced," he adds, "that you could have got a gentlewoman with a fortune, to my certain knowledge." However, he admits that his son is arrived at years to judge for himself; and then he softens, and sends the young people an elaborate blessing from himself and his wife,—with an intimation at the end that his daughter joins her parents "in the above soliquy."

He did not get the appointment he was ambitious of, and his careless unperspicacious son had besides blundered in the most provoking way in one of his applications. So when he writes again, about three weeks later, he is considerably excited. "Dear Son," he begins, "Yours of the 16th came to hand upon the 20th, in which you give me a full detail of the matrimonial ceremony: this you could have given me eight or ten days sooner, if you had nothing else to purpose to inform me of. I wish you and your spouse all joy, happiness, peace, and felicity; and, as you grow in years may you increase in grace, wisdom, and understanding. But the remainder of your letter surprises and astonishes me to a high pitch, that ever you should have wrote to Mr. Ramsay upon the subject, and pay any court to him, which was only throwing pearls before swine; a man [of] so double low and pussillanious a disposition. Although he carried fair to me, my eagle-eyedness ren-

dered me unfit to be his particular favourite. Observe his letter, how wheening and double it is in laying the blame upon Mr. Gordon, and how ridiculous nonsense and stuff he writes to you, and falsehoods, which it would appear you give credit to before what you saw with your eyes and heard with your ears, and also common sense would dictate the reverse." Mr. Ramsay's notions upon certain points are altogether despicable in Bogle's eyes:—"He says farther, he would not wish that I would tamper with the Board too much, lest I incurred their displeasure. How mean and contemptible is his argument! By this he might as well have said that every officer who applies to their friends to use their interest with the Board, that officer is to incur the Board's displeasure; being one of the greatest absurdities in life." His son ought to have pressed the petition upon Commissioner Lawrie, waiting upon him for that purpose at the earliest possible moment: "this would have been acting like a son in his father's cause." The truth of the matter is, that his son will be himself a sufferer, at least in reputation if not otherwise; if he will not get his friends to use their interest with the Board, the Board will reckon him very little worth. The son, with the view of a little repressing his father's impetuosity, seems to have ventured to hint at the possibility of an applicant sometimes being mistaken in thinking that he was the person best entitled to a post upon which he might have set his heart. But his father puts down all objections with a high hand. "How stupid is your argument. . . . How thoughtless must you be to speak thus. . . . . I see

you are so extremely careless and remise in my affairs, which I would not be in yours, but exert to the utmost of my power."

The son, who in some of the genealogical schemes is described as having been "bred at the Academy in the College of Glasgow" (meaning the Drawing School set up by the Foulises, the University printers), removed to London about three years after his marriage. In a letter addressed to him at No. 1, Panton Square, in August 1776, his father complains of his remissness in writing and letting them know how *bussoness* goes on with him. He appears to have obtained tolerable employment in his profession of a miniature portrait-painter; but, evidently of a sluggish and unenterprising disposition, he was always a struggling man. Nor can the exciseman get him to take either part or interest in the projects for the re-establishment of the family which continued to the last to fill his own head. He will not even feel with him except in the most languid way in regard to their wrongs and the authors of them. In a very long letter written in November 1778 his father details to him with great particularity the manner in which, as he asserts, his mother, the rightful heiress of Gartmore, had been swindled out of that estate, worth now above three thousand a year, as well as out of the property left by the last Earl of Menteith, the value of which, he maintains, could not be less than twenty or thirty thousand pounds. He has little doubt that all this wealth might still be recovered; and he is surprised at his son's "lenity and backwardness" in trying to dissuade him from raising an action for that purpose against

Mr. Robert Graham, the present possessor of Gartmore. He himself can never forget the heartless and barbarous usage he and his wife received from this Graham's father when they were obliged to fly from Edinburgh in 1745 to save themselves from being burnt alive by the Highlanders, and Graham refused them a loan of two or three pounds to keep them from starving. "I prayed heartily," says the ardent old man, "that God Almighty would judge him and his, and reward them accordingly; and I hope to live and see some of my prayers thereanent answered."

He had been employed for the last three years in collecting evidence for carrying on the process which had been raised in 1742 by his wife and her brother "my lord," and by which "perscription" had been prevented. "It's cost me," he observes to his son, "a good dale of money; and, if we succeed, as numbers are of that thought, you'll reap part of the benefit, and should contribute your mite. . . . . We are very certain, the condition your uncle is in, he'll never be married nor have issue. . . . . Therefore my family must be the representatives of the Earls of Menteith, as well as of Gartmore; and, were your uncle dead, I would have your mother retoured, and claim the honour and dignity as Countess of Menteith, by which all my family would be quality." He has drawn a genealogical tree of the Earls of Menteith from Robert the Second, "which tree," he says, "I have in a frame in my dining-room, which illustrates every thing anent that family more than ten volumes would do if you saw it, and the execution of which has

cost me a great deal of trouble by searching all the histories and peerage of Scotland, &c. &c.; all which I judged proper to acquaint [you] with, that you may see as in a mirror every thing clearly."

Poor Mrs. Bogle was not fated ever to be a Countess. She died within two months from the date of this letter, on Wednesday the 20th of January 1779. Her husband writes to his son informing him of his loss five days after, by which time the funeral was over. Considering, as he says, that "the greatest respect, veneration, and regard" had always been paid to his wife "by all the ladies and gentlemen every where," he had gone to great expense to have her remains honourably interred, "something like her ancestors;" and there had been no burial in Kirkcudbright all that century like it.

It is gently enough in this hour of sorrow that the old man notices what too evidently had been great inattention on the part of his son. He expresses his surprise that he had had no answer to his last long letter—probably the one written in November, and hopes that he will not neglect to answer the present one. "Your mother," he says in his last sentence, "has many a time been thinking long to see [you], and often said by your putting it off she would never see you at all."

Nothing, however, subdues or long depresses the old man's spirit; his ruling passion only gets stronger the more he nears the end of his days, and the more of disappointment and rejection he encounters. He writes again to his son on the 1st of May

1781.* Again he complains of his long silence; it surprises his sisters, as well as himself, very much. He has lately sent him the Bogle and Mitchell trees (the latter being his great-grandmother's genealogy). But his principal subject is "one of the most superb elegant balls ever was in Kirkcudbright," which had been given about three weeks before at the election for the Stewartry. All the county ladies and gentlemen of distinction were there; but the only families in the town of Kirkcudbright that were invited were his own and two others. It is evident from various passages in the letters that the ancestral pretensions of the Bogles had the effect of making a respect and observance be accorded to the family much beyond what their actual position would in ordinary circumstances have been held entitled to. Miss Bogle had been prevented from going to the ball by an attack of toothache, but both her younger sister and old Bogle himself had gone. "Lord Selkirk's whole family," the narrative proceeds, "was there. His lordship made up to Grace, and brought from the foot of the room up to the head Mr. Gordon of Kenmore (the member elected), and introduced him to your sister Grace; and, when the country dances were to begin, his lordship brought Mr. Gordon of Greenlaw, who is *off* Lord Kenmore's family and the principal gentleman of fortune, and introduced him to Grace for a partner. His lordship also presented her with sweet oranges, &c." It is hard to conjecture what notions may have

* Such from internal evidence must be the date, which is printed 1787 (by which time the writer was dead).

begun to take possession of the old gentleman's head, but he concludes his letter with a remarkable request: —"Pray write if the negligees with the side or long ruffles are now in fashion and wore, or what is most universally used, and what they wear about their shoulders, and with respect to the heads if higher or lower dressed." It must have been in behalf of his daughters, apparently, that these inquiries were made.

For the next two or three years there are no traces of any intercourse between the son settled in London and his father's house. But then came a new event, another death, which in his father's notion concerned him even more than that of his mother. We have not the first letter which it produced, but one dated the 5th of April 1784 is in part as follows:—"Dear and loving Son, I wrote you several letters, and particularly one about the beginning of August last, but received no answer, informing you that I had received a letter from Mrs. Smollett, Junior, of Bonhill, who resides now there, acquainting me that my brother-in-law Lord Menteith, your uncle, came on a visit there, and was taken ill, and in a few days died, which was upon the 30th day of June last; and, Mr. Smollett being abroad, his old[est] son carried his head, and he was decently interred in the churchyard of Bonhill. I wrote you that it was, and still is, the opinion of our friends and well-wishers that you ought and should claim the honours and dignity of Earl of Menteith; and you ought now to embrace of this opportunity at the Election of the Sixteen Peers, which will be about the beginning of May next, at Holyrood-house in Edinburgh. You cannot conceive the benefit and

advantage that may accrue to you therefrom. Gentlemen who have only a vote for a member of the House of Commons receive great rewards either by post, pension, or otherwise. You can with great ease prove your propinquity, and if I can be of any use command me." The account here given of the death of the mendicant Earl is most probably an ingenious sophistication of the exciseman's own, though it is not impossible that it may have been the veiled or softened version of the facts which he had himself received from Mrs. Smollett.

Of course the son did not come down to claim his title. Another letter of the father's dated the 20th of August 1785 complains of his silence of nearly four years, and again urges him to assert his rights.

The bodily health of the strong-hearted old man is now beginning to give way. He informs his son that he had at the preceding Whitsunday removed to Glasgow for the benefit of his native air. He got back to Kirkcudbright, however, before his death, which took place there on the 17th of February 1787. His son writes from London on the 26th of March to a Michael Bogle, Esquire, of Glasgow, thanking him for his attention in superintending the arrangements for the funeral of his "aged and lamented father," at which various circumstances, and especially the declining state of his health, had prevented him from being himself present. In replying to a sympathising letter which he had received from this kind relation he will not go into family grievances; "it is enough," he says, "that I myself suffer the indignities and misconduct of some of my connexions." He will,

however, mention some things in vindication of his conduct. He had begun life with nothing, and his profession was one in which it was impossible to accumulate a fortune. "For a great many years past," he proceeds, "I have been aware of these disadvantages, and knowing that the subsistence of my sisters depended entirely on the life of my father made me frequently urge to him the necessity of their being put to business to enable them to do for themselves, and which would have been a satisfaction and ease to his mind; but my entreaties were always overruled and rejected from motives of family pride, the most absurd of all reasons in their situation, as the event now makes it appear." His sisters and he had not corresponded for some time, owing to some family disputes. The state of his health had been very bad for the last three months, and his nerves cannot bear to be irritated. His sisters were well acquainted with the state of his circumstances; he is therefore astonished that they should have been so foolish as to talk of him to his friends and others as being in affluence. This he can only consider as an attempt on their part to gain certain ends at the expense of his character. The time may come when he may have it in his power to do something for them; but at present it would be entirely improper to feed them with promises which might never be fulfilled. It is indispensably necessary that his father's funeral expenses and other debts should be discharged out of the sale of his furniture, or out of a small sum of money he had managed to save,—amounting, as it turned out, to about a hundred pounds.

John Bogle the younger ultimately returned to Edin-

burgh, and died there in 1803. He never had any issue, or at any rate he left none. His widow survived till 1823. She is described in the pedigrees drawn up by her father-in-law as daughter of John Wilson of Spango, in Nithsdale; but that hardly appears to be a territorial designation, though it has something of the sound, and may have been intended to be so taken. She is said, however, to have been a great beauty; her husband's father writes to his son soon after the latter went to London that a gentleman he had met had told him it was the opinion of many others as well as himself that her face excelled that of the Duchess of Hamilton (the famous Elizabeth Gunning).

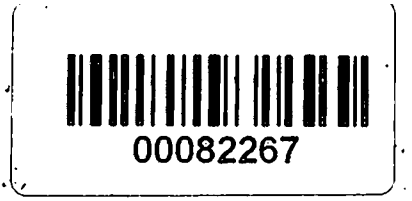
Meanwhile Bogle's two sisters had been tossed about among troubles manifold. Neither of them ever married. Their furniture seems to have been saved to them, after all, at their father's death; but an adverse decision of the Court of Session in 1791 in some probably very foolish cause upon which they had embarked had completely thrown them down and deprived them of everything. Grace, or Grisel, the younger sister, is said never to have recovered from this blow. They were in London together for some time in 1795, with the view, as it would appear, of appealing to the House of Lords, when they were one or both taken ill, and suffered great misery. They got back, however, to Edinburgh, and there Grace died in April 1802, about a year before her brother. Of all the descendants of the Lady Elizabeth Graham there remained now only Mary Bogle, or, as she insisted upon being called, Lady Mary Graham Bogle. There are some long crazy letters of hers, written in her last days, and filled principally

with her claims as the rightful heir to Gartmore, and a dispute about a small annuity she received from the possessor of that estate, all that she had to exist upon. The poor old lady will be sufficiently brought before the reader by the following postscript to one of her letters, dated 8th July 1819, and addressed to W. Dymock, Esq., W.S.:—"I hope your goodness will excuse the small slips of paper that I was obliged to use; and, if you have occasion to write me before you favour me with your call, you will please direct for me as everybody does but Mr. Henry D. Inglis." When he had occasion to write me he put on *Miss Bogle* on the back of my letter, and Mrs. Anderson the grocer's wife in Bristo Street called at me with that letter in her hand, saying that she gat it from a man, who told her that he had been over all Bristo Street and could not find one of the name of Miss Bogle. Now you will please [to know] that I have been near seven years in Bristo Street, and never out of the same house; so that it is very unbecoming a gentleman conduct of that kind. M. G. B." She too, the last of her race, died at Edinburgh on the 12th of November 1821.*

There is no longer a chance, therefore, of Bogle (that is, *Hobgoblin*) Earl of Menteith taking its place among our historic names. But the line of the Lady Mary Graham, undoubtedly the elder of the two sisters of the eighth Earl, still subsists; and, if any of his dignities were descendible to heirs female, the right to them is in that

* These Letters of the Bogle family were all produced in evidence before the Lords' Committee for Privileges in the *Airth Case* in 1839.

line. Here also there has been some strange mingling of bloods, as well as other remarkable mortal casualties. James Allardice, the great-grandson of Lady Mary, died in 1765, leaving a daughter Sarah Anne, born in 1757. In her so long as she lived resided unquestionably the genealogical representation of the eldest son of King Robert the Second born in wedlock, and whatever claim that conferred to be accounted the true representative of Robert the Second himself and of Robert Bruce. In 1776 she married Robert Barclay, Esquire, of Urie, in Kincardineshire, the great-grandson and lineal successor of the famous Apologist for the Quakers, who thereupon took the name of Allardice. It was only in 1783 that the Airth patent was discovered in the charter chest of the Duke of Montrose, evidencing that the limitation of that Earldom was, apparently, to heirs general; preparations were soon after commenced for the establishment of Mrs. Allardice's claim; but they were put a stop to by an unhappy event. After having brought her husband eight children, four sons and four daughters, she was in 1793 divorced for adultery with a person named John Nudd, to whom she was two years after married. Mrs. Nudd, as she was now called, always spoke of herself as being by right Countess of Airth and Menteith. She and her husband resided at Sprowston in Norfolk; and she survived till July 1833. In the following year her eldest son, Robert Barclay Allardice, Esquire, of Allardice and Urie, petitioned his Majesty to have his claim to the Earldom of Airth allowed, and the petition was immediately referred to the House of Lords; but the case did not come before the Committee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